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| Southeastern Kansas Cow Towns

by Dwight M. Howard

1949

Submitted to the Department of History
and the Graduate School of the University
of Kansas in partial fulfillment of the
requirements for the Degree of Master of Arts.

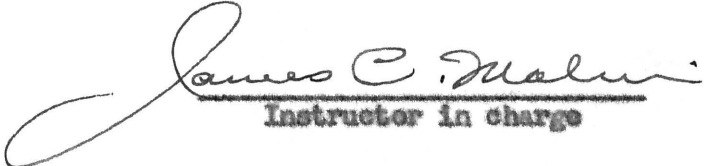
SOUTHEASTERN KANSAS COW TOWNS

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Dwight Howard
B.S., West Texas State College, 1942

Submitted to the Department of History
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Thesis
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Instructor in charge

August, 1946


For the department

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TO

DR. JAMES C. MALIN

ACKNOWLEDGMENTS

Acknowledgment is due Professor James C. Malin for his encouragement, patient guidance and constant aid given me while making this study. The idea for this thesis was advanced by Professor Malin. He has felt that "exaggerated emphasis....has been given to the Texas cattle trade through Abilene and other Western points beginning in 1867." Professor Malin advances that idea in his book, Winter Wheat in the Golden Belt of Kansas.

The present writer hopes that while developing Professor Malin's contention adequate pertinent information has been brought to light to indicate the importance of the cattle trade in Baxter Springs, Chetopa and Coffeyville--the early cow towns of Southeastern Kansas.

Among others to whom I am indebted are Mr. Nyle Miller, Mr. Biney and staff of the Kansas State Historical Society at Topeka; Miss Maud Smelser and the library staff of the University of Kansas, and Mr. Murl Rush for the final drafting of maps.

Encouragement and aid given the present writer through the years while attaining this goal are due to my wife, my parents and my brother.

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INTRODUCTION

Gone are the old cattle trails. Gone except in memory. Few of the old drovers are left who rode them. The cattle trails have been immortalized in song and story. Who has not heard of the "Old Chisholm Trail" leading to Abilene or the "Western Trail" leading to Dodge City? These trails and Kansas cow towns are well known but few there are who know of the "Old Shawnee Trail," "Texas Cattle Trail" and other trails leading to Baxter Springs, Chetopa, and Coffeyville, the cow towns of southeastern Kansas.

The trails to southeast Kansas were among the early cattle trails. Baxter Springs was the first Kansas cow town. The cow towns of southeast Kansas were important shipping centers during the trail driving days and continued in importance as long as some of the better known cow towns. These towns were wild and wooly cow towns—packed with Texas Longhorns and Texas cowboys. Baxter Springs and Chetopa were older towns than Coffeyville and became objectives for the drover even before railroads were built there. So the trails to those two towns were older and well defined. Coffeyville was a railroad town and was built as the terminus of Leavenworth, Lawrence and Galveston Railroad. The railroad made it prominent and part of the drives were diverted there.

The importance of southeastern Kansas in the trail driving days and as a shipping point has long been overlooked. Baxter Springs was located in Cherokee County, Chetopa in Labette County and Coffeyville in Montgomery County. These three counties bordered on the Indian Territory to the southward. Cherokee County bordered Missouri on the east. Labette County was the next county west of Cherokee County and Montgomery County bordered Labette County on the west.

Part I

CATTLE TRAILS

TRAILS TO BAXTER SPRINGS



Chapter 1

TRAILS TO BAXTER SPRINGS, CHETOPA AND COFFEYVILLE

To Baxter Springs

Between 1848 and 1860 some cattle were driven north; many into or through Missouri.¹ During the 50's cattle from Texas and the Indian Territory were driven through Kansas, both before and after it was organized as a territory:

Instead of entering southwest Missouri, they proceeded north along or near the military trail through Fort Scott to Fort Leavenworth. They used many other routes after 1854, when the territory was organized and began to be settled. Some were purchased by newly arrived emigrants to help stock their ranches, others were disposed of to overland freighters or Santa Fe traders at Wyandotte, Leavenworth, Atchison, and other towns, and still others were sold to the United States army for beef or work oxen at Forts Leavenworth and Riley. But many Texas cattle were driven on through Kansas to Nebraska, Iowa, Illinois or Minnesota, some of which proceeded through the eastern part of the territory in the late fifties to avoid the irate Missouri farmers.²

The use of this military trail meant that the cattle would be driven through the vicinity of Baxter Springs as Baxter Springs was only a short distance south of Fort Scott. The cattle driven through Kansas in this manner reached Kansas by the Texas Road.

The Texas Road was located in the eastern part of the Indian Territory. It was used by a large number of emigrants during the Mexican War. One branch came from Baxter Springs and followed the divide between the Verdigris and Grand rivers to Fort Gibson, Indian Territory. The other branch came from St. Louis, Missouri through

1. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 37.

2. Ibid., 36-37.

Springfield, Missouri and Maysville, Arkansas; then southwest where it joined the other branch in the vicinity of the present town of Pryor, Oklahoma. There were six stations between Fort Gibson and Baxter Springs where the stages changed horses. Refreshments and lodgings were provided. One station was Chouteau's Station, about where the present town of Wagoner, Oklahoma is located. Another one was in the vicinity of the present town of Pryor, Oklahoma. The other stations were distributed between there and Baxter Springs. The Texas Road proceeded southwest from Fort Gibson, past Honey Springs and crossed the Canadian River just below the present location of Eufaula, Oklahoma.³

Other stations built on the Texas Road south of Fort Gibson were Perryville,⁴ near where McAlester, Oklahoma is now located,⁵ and Boggy Depot. At the latter place the road forked—one branch went directly south to Warrens on the Red River; while the other reached the river at Preston by way of Fort Washita.⁶ Fort Washita was on the Washita River and about twenty-five miles above the mouth.⁷ The branch going directly south went through the old Chickasaw capital, near the present town of Caddo, Oklahoma.⁸

The Texas Road was employed by both sides during the Civil War

3. Foreman, Grant, "Early Trails through Oklahoma," Chronicles of Oklahoma, III (June 1925) 117.

4. Ibid., 117.

5. Ibid., 112.

6. Ibid., 117.

7. Ibid., 112.

8. Tennant, H. S., "The Two Cattle Trails," Chronicles of Oklahoma, XIV (March 1936) 108.

in moving supplies and troops. After the war army posts were abandoned at Forts Gibson, Washita and Arbuckle and new posts were established farther west. When the Missouri, Kansas and Texas Railroad was surveyed through the Indian Territory, the route that was adopted was almost identical with that of the Texas Road.⁹

Cattle that were driven through the Indian Territory early:

....came through with Texas men, driven by John Chisholm, Jim Chisholm and various others from Texas, from the ranches of Captain King, Van Wagoner, Shanghai Pierce, George Littlefield, C. C. Slaughter and others. They were driven in south of Ardmore in by old Fort Arbuckle, where Jesse Chisholm had a trading post. They often penned the cattle in government stockades at Camp Arbuckle. They drove them across the South Canadian River and drifted northeast through Seminole and Creek Counties to Baxter Springs, Kansas.The cowboys were principally Mexicans and they used pack horses and mules to carry provisions and bedding, but later they substituted ox team and wagons.....¹⁰

The Texas Cattle Trail crossed Red River at Preston and ran north through Stonewall in what is now Pontotoc County, crossed the Canadian River at Edwards Settlement and extended on northeast.¹¹ Edwards Settlement was on the south bank of Little River, one-half a mile above the mouth. This is about five miles south of the present town of Holdenville, Oklahoma.¹² Edwards was licensed to trade with the Indians. His daughter was married to Jesse Chisholm, a half-breed Cherokee and a famous guide and scout.¹³

9. Foreman, Grant, "Early Trails through Oklahoma," Chronicles of Oklahoma, III (June 1925) 118.

10. Tennant, H. S., "The Two Cattle Trails," Chronicles of Oklahoma, XIV (March 1936) 113.

11. Foreman, Grant, "Early Trails through Oklahoma," Chronicles of Oklahoma, III (June 1925) 119.

12. Ibid., 104.

13. Ibid., 103.

Drovers starting from southern Texas usually started from the vicinity of San Antonio. After the Civil War cattle were driven from practically all points.¹⁴ The usual route for the drive in 1866 was north from central Texas, passing just west of Fort Worth, and traversing the strip of prairie between the upper and lower Cross Timbers, past Denton and Sherman to the Red River.¹⁵

The "Old Shawnee Trail" was an important trail in the eastern part of the Indian Territory. This trail led to Baxter Springs, Kansas. The trail left the Red River near Snivels Bend, about forty miles east of the starting-point of the Chisholm Trail and ran nearly parallel with its rival for about one hundred miles. Here was a connecting trail running into the Chisholm at Elm Spring. The Shawnee Trail then bore northeasterly on the north side of the Shawnee Hills, crossed the Canadian and North Canadian near the Sac and Fox Agency; then through the Creek reservation, fording the Arkansas west of Fort Gibson. Turning more easterly it passed west of Vinita and on to Baxter Springs. This trail became as well worn as the Chisholm and was equally well-known.¹⁶ These trails were heavily used:

Both were as barren as city streets and were marked by the whitening bones of four-footed travellers who had died on their weary journey.¹⁷

14. Tennant, H. S., "The Two Cattle Trails," Chronicles of Oklahoma, XIV (March 1936) 95.

15. Dale, E. E., Cow Country, 26.

16. Harger, Charles, "Cattle Trails of the Prairies," Scribners Magazine, XI (January - June 1892) 734-735.

17. Ibid., 735.

The Shawnee Hills were in what is now Hughes County. Shawneetown was located in this same county, too.¹⁸ The Sac and Fox Agency was composed of part of the present county of Payne, Oklahoma.¹⁹

Prior to the building of railroads between the south line of Kansas and Kansas City, efforts were made to bring the cattle trade direct to the latter point by trail. A letter written by James Hanway sometime after April 18, 1868, throws some light on efforts being made to lay out a new trail at that time. He wrote that an organization had been started in Kansas City:

The object appears to be to effect an opening through the border tier of counties of Missouri, through the Indian country south of Kansas for the free access of the vast droves of cattle which are found in the Cherokee, Choctaw Nations and throughout Texas.²⁰

The organization proposed to insure all cattle five miles on each side of the trail for any damage they might sustain from "Spanish Fever" caused by southern cattle. The drovers were to be assessed \$3.00 for each head of cattle driven. It seemed that this would provide an ample fund to defray all losses. If this organization could carry out its plans, it would bring thousands of dollars worth of cattle to Kansas City that were being driven to western Kansas and shipped at Abilene. The main difficulty with this new trail was that when any farmer along the route had a cow die; he would claim that the cause was "Spanish Fever" and seek money for his loss.²¹

18. Foreman, Grant, "Early Trails through Oklahoma," Chronicles of Oklahoma, III (June 1925) 120.

19. Wyatt, F. S. and G. Rainey, Brief History of Oklahoma, Map p. 70.

20. James Hanway Papers, I, Last letter before classified letter A (No date on letter but written on a letter of William Allens dated April 18, 1868, Greenville, Ohio). Kansas State Historical Society, Topeka, Kans.

21. Ibid.

Two men were at Baxter Springs and evidently they were working to open the route to Kansas City. In a letter dated July 13, 1868, and sent from Baxter Springs, Kansas, to the Editor of the Weekly Journal of Commerce, Kansas City, Missouri, a correspondent discusses the attempt to open the new trail:

I also met here Col. Bucklin and Mr. Prior. The Colonel is working hard to open a route through Missouri for driving Texas cattle to Kansas City. I think he ought to have had two or three assistants to insure success. The vast results to Kansas City from this enterprise, if it succeeds, cannot well be computed. But I fear that the general agent, single handed and alone, can scarcely effect the arrangement. The Colonel, however, was quite sanguine of success when I last conversed with him. All parties agree that there is no Texas or Spanish fever among the vast herds of cattle now in the vicinity of Baxter Springs, whose owners are patiently awaiting the opening of the route.²²

This route failed to go through. There may not have been enough men working to put across this idea, but the main reason was that the fees to be assessed of the drovers were too high.

The Missouri River, Fort Scott and Gulf Railroad was completed to Baxter Springs May 12, 1870.²³ As the line didn't extend into Indian Territory they urged the drovers to drive their cattle to Baxter Springs. The Cherokee Sentinel, Baxter Springs, Kansas, printed in September 1871, a table of direction and distance for the drovers:

Below will be found a table of distances from various points on the grand Cattle route via Ockmulgee. This route is found to be, upon examination of the best experienced in the business, to be the very finest and safest from Texas to this point. Thousands of cattle will soon be passing over it to this place.

22. Weekly Journal of Commerce (Kansas City, Missouri), July 25, 1868.

23. Wilder, D. W., Annals of Kansas, 518.

TRAILS TO COFFEYVILLE - CHETOPA & BAXTER SPRINGS

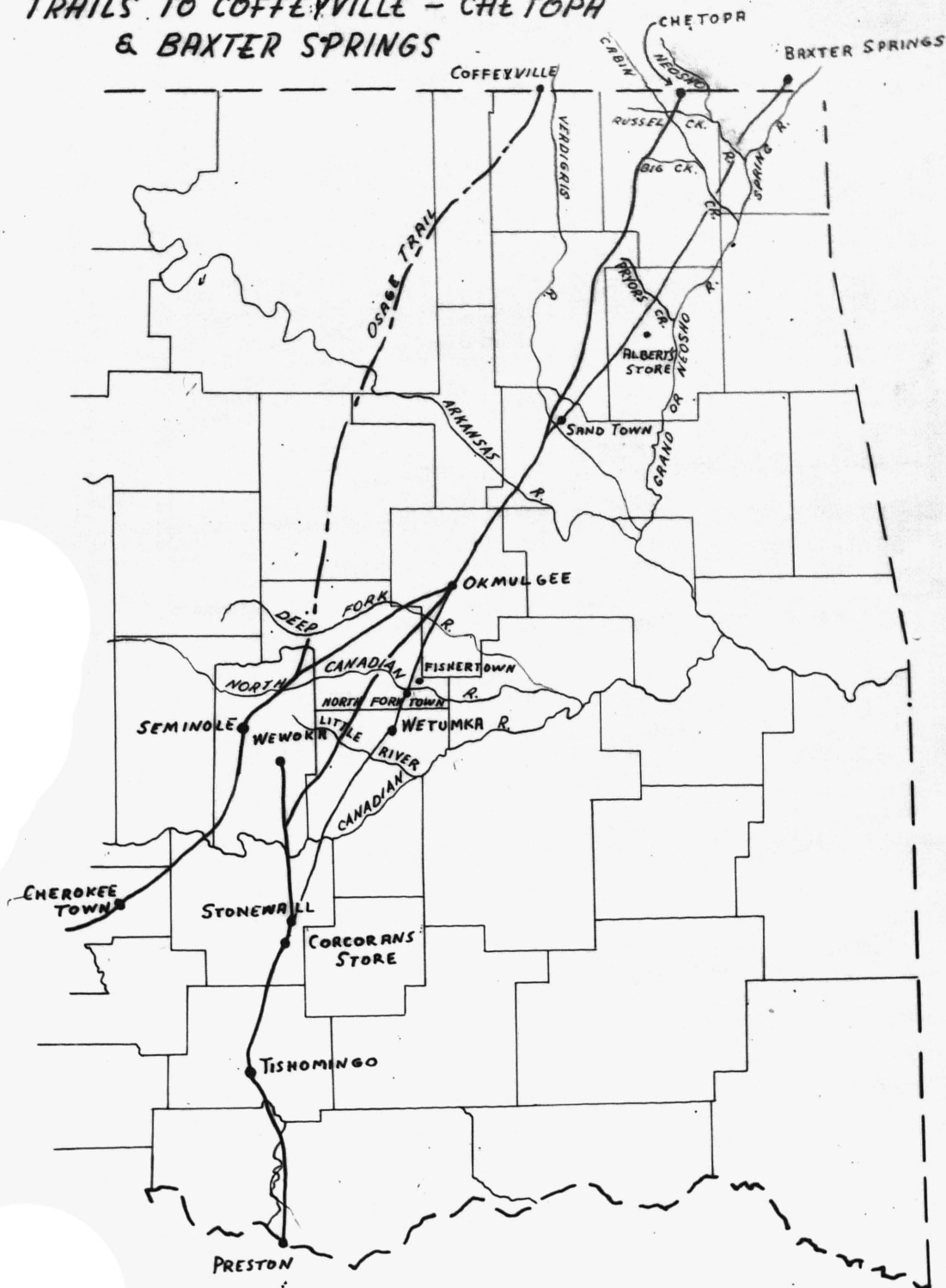


Table of Distances via Ockmulgee		
Distance between Points		Total Distance
Rocky Ford, Red River to		
12	Carriage Point	12
21	Blue River	33
24	Stonewall	57
30	Canadian River	87
10	Little River	97
10	We-wo-ka River	107
6	North Fork River	113
25	Deep River	138
5	Ockmulgee	143
30	Brown's Ferry on Arkansas River	173
10	Sandtown, on Verdigris	183
20	Albert's Store, Pryor's Creek	203
19	Cabin Creek	222
36	Neosho River	258
14	Baxter Springs	272

Plenty of good water and grass by this route, with stores at various points where supplies may be had. Good ferries over all the larger streams. No Toll Bridges.²⁴

North Fork River meant the North Fork of the Canadian River; while Deep River meant the Deep Fork of the Canadian River.

To Chetopa

Another southeastern Kansas cow town that was becoming important was Chetopa. A Chetopa paper, the Southern Kansas Advance, printed on April 13, 1870, a description of what it considered a good driving route:

We are in receipt of a communication from Fenton M. Sanger, of Ockmulgee, Creek Nation, giving the information that a new cattle route has been opened up by way of Ockmulgee to Chetopa, crossing the Arkansas River at Childress Ferry. The Texas drovers will find this the shortest route to railroad communication. Capt. John Secrest and Capt. Cramer have just passed over the trail and inform us that wood and water are found the whole length of it at convenient distances.

24. Cherokee Sentinel (Baxter Springs, Kansas), September 22, 1871.

The completion of the Missouri, Kansas and Texas Railroad by June 1, 1870²⁵ to Chetopa from Junction City, Kansas, opened a railway route from that town to Chicago, St. Louis, and all eastern cities. It was closer by about 200 miles to drive to the railroad at Chetopa than to Abilene. In May the Chetopa newspaper sent new recommendations to the drovers in view of the fact that the railroad was almost completed. The recommendations sent were:

To the drovers coming from any part of the State of Texas, South, or East of South, of Sherman or Whitesboro, we would recommend their crossing Red River near Preston, Texas with objective point, Tishomingo, the capital of the Chickasaw Nation. Thence to Corcoran's store house, 35 miles distant. To the drovers coming from any part of the State of Texas, between Whitesboro and Gainesville and between Gainesville and Red River Station on Red River, we would recommend Cherokee Town, on the Washita as their objective point.²⁶

The directions from Tishomingo and Cherokee Town to Chetopa might be summarized in the following manner. Tishomingo to Corcoran's Store, 35 miles, was mostly prairie, fine level road, plenty of water, grass and good camping places. From Corcoran's to Stonewall was 2 miles. There were two trading posts at Stonewall where plenty of supplies could be obtained. From Stonewall to Jo Curnell's Ferry on the Canadian River was 30 miles. The distance from Stonewall to the Ferry was mostly open timber and prairie to the south bank of the Canadian. There was good ferriage facilities here and the drover didn't need to fear quicksand or mud. Here was one of the best crossings of the River. From the Canadian River to Wewoka Creek was 22 miles. This was a fine part of the route as 17 miles of it was prairie with many small streams. From Wewoka Creek

25. Southern Kansas Advance (Chetopa, Kansas), June 1, 1870.

26. Southern Kansas Advance (Chetopa, Kansas), May 25, 1870.

to Col. Tim Barnetts was 2 miles. From Col. Tim Barnetts to North Fork River was 4 miles. This stream provided good stock water and was easily crossed. There weren't any thickets along it to bother the drovers. From North Fork River to Scipio Barnetts was 12 miles. Here was a trading post and supplies could be obtained. From Scipio Barnetts to Okmulgee was 24 miles. This was a fine part of the trail as there were many good camping places, with wood and water every few miles.²⁷

The other route to Okmulgee was from Cherokee Town on the Washita River. From Cherokee Town to the Canadian River was 25 miles. This was a good route, all prairie and passed by White's trading post. There was a ferry for crossing the river and at this point was also a good stock crossing. There was a Seminole settlement on the north side of the river. From the Canadian River to the Seminole Agency was 30 miles. Here were several good stores. From the Seminole Agency to North Fork River was 18 miles. Here was a good stock crossing and a ferry. From North Fork River to Okmulgee was 27 miles. There was plenty of water, grass and camping grounds on this part of the route.²⁸

At Okmulgee, the capital of the Creek Nation, were first class stores with everything to supply the wants of the drover. There were blacksmith and wagon facilities, stockyards and plenty of grass for grazing purposes.²⁹

The routes from Tishomingo and Cherokee Town joined at Okmulgee and made one trail on to Chetopa. The trail led from Okmulgee to

27. Southern Kansas Advance (Chetopa, Kansas), May 25, 1870.

28. Ibid.

29. Ibid.

Childer's Ferry on the Arkansas River, a distance of 22 miles. This was in a due north course from Okmulgee. This was a fine prairie route. There were no thickets along the river and there was a good stock crossing. The ferry there was in charge of an expert ferryman. From Childer's Ferry on the Arkansas River to Chamber's Ferry on the Verdigris was 18 miles. From there to Journeycake's Delaware settlement was 30 miles. From Journeycake's settlement to Big Creek was 10 miles. The road didn't cross Big Creek but ran 6 miles up to the head of the creek. The rest of the distance was from the head of Big Creek to Cabin Creek, 6 miles, from there to Russell Creek, 10 miles, and from Russell Creek to Chetopa was 2½ miles.³⁰

The whole route might be recapitulated as:

From Tishomingo to Corcoran's 35 miles
 From Corcoran's to Curnell's Ferry, on Canadian River, 32 miles
 From Canadian River to Tim Burnetts, 24 miles
 From Tim Burnetts to Okmulgee City, 40 miles
 From Okmulgee City to Childer's Ferry, Arkansas River, 32 miles
 From Childer's Ferry to Chambers' Ferry, on Verdigris River, 18 miles
 From Chambers' Ferry to Journeycake settlement, 30 miles
 From Journeycake settlement to Chetopa, Kansas, 34 miles
 From Tishomingo, Chickasaw Nation to Chetopa, Kansas, 235 miles
 From Cherokee Town, Chickasaw Nation to Okmulgee City, 100 miles
 From Okmulgee City to Chetopa, Kansas, 104 miles
 From Cherokee Town to Chetopa, Kansas, 204 miles.³¹

The Chetopa paper stated that driving to Abilene was about 200 miles farther to shipping facilities. The distance from Cherokee Town to Abilene was 400 miles; while the distance from Cherokee Town to Chetopa was only 204 miles. The Creek Indians had reduced the rate on

30. Southern Kansas Advance (Chetopa, Kansas), May 25, 1870.

31. Ibid.

cattle going through their nation to five cents per head. This was liberal and was only levied to defray the expense of their officers in exercising a careful vigilance over their own cattle. The Missouri, Kansas and Texas Railroad was building a branch line from Sedalia, Missouri on the Missouri Pacific line, to Chetopa. This would result in an all rail route to St. Louis and Chicago that would be shorter than the other railway lines. Forty miles were built and it was all to be finished by October 1, 1870:

Chetopa thus becomes the great entrepot or shipping point for all the cattle and other trade of Texas; being the extreme southern point in Kansas on this great, direct, short through line, to the East and North.³²

By 1872 the M. K. and T. Railroad had reached Muskogee. This resulted in a modification of the Shawnee Cattle Trail as the cattle could now be shipped part of the way in the Indian Territory by those who didn't care to drive on to Kansas. The Shawnee Cattle Trail ran past the vicinity of Pauls Valley, crossed the Canadian at what is now Shawnee and extended northeast to the M. K. and T. Railroad at Muskogee.³³ The cattle shipped on the M. K. and T. would be routed through Chetopa and not Baxter Springs.

To Coffeyville

The Osage Trail ran through the Osage Nation.³⁴ This was the trail that in all probability served Coffeyville, Kansas.³⁵ Coffeyville

32. Southern Kansas Advance (Chetopa, Kansas), May 25, 1870.

33. Foreman, Grant, "Early Trails through Oklahoma," Chronicles of Oklahoma, III (June 1925) 119.

34. Ibid.

35. The lack of material on early Coffeyville accounts for the lack of accurate and extensive information.

was reached by the Leavenworth, Lawrence and Galveston Railroad by
August in 1871.³⁶

36. Powell, Cuthbert, Twenty Years of Kansas City's Livestock Trade and Traders, 79.

PROPOSED WESTERN CATTLE TRAILS

Because of the difficulties encountered in driving, some persons thought it advisable to lay out a western cattle trail where the country was thinly populated. In 1874, Senator Ingalls introduced a bill, before the United States Senate, that would provide for the establishment of a road one and one-half miles wide through the Indian Territory. This road was designed especially as an outlet for Texas cattle to Eastern markets. This project at first seemed feasible but when the facts were considered it seemed to be wild and impracticable. Good grazing was needed along the trail for the cattle. A few herds would exhaust the grass on the trail:

If anything like the number of cattle should be driven through that were a few years ago, it is all foolishness to think of one trail being sufficient for the business.¹

The difficulties encountered in trail driving continued to grow. Senator Coke introduced a bill that provided for a National Cattle Trail. This bill provided for the appointment of three Commissioners to lay out the trail and to establish, at convenient points on the trail, suitable quarantined grazing ground where livestock might be held and grazed for short periods of time. This trail was to begin on the Red River, near the 100th degree of longitude, run in a northwesterly direction through Indian Territory, following as far as practicable the Fort Griffin and Dodge City trail to the southwest corner of Kansas and then over unappropriated lands in a northerly direction to

1. Southern Kansas Advance (Ghetops, Kansas), February 19, 1874.

the boundary between the United States and Canada. This trail was not to exceed six miles in width and quarantined grazing grounds weren't to exceed twelve miles square in size. Unappropriated lands were to be set aside for this trail for a period of ten years. Ten thousand dollars was to be appropriated for this trail.²

The proposed cattle trails that were to be laid out west remained proposals. If any had been laid out and used this would have diverted the drovers from southeastern Kansas and sounded the death-knell for the cow towns of southeast Kansas as points to which the Texas Longhorns were driven.

2. Baxter Springs News (Baxter Springs, Kansas), June 24, 1885.

The first section of the book is devoted to the study of the

and the second section is devoted to the study of the

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Part II

and the seventh section is devoted to the study of the

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TRAIL DRIVING

and the ninth section is devoted to the study of the

and the tenth section is devoted to the study of the

and the eleventh section is devoted to the study of the

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Chapter 3

DRIVES BEFORE AND AFTER 1866

The main factors that led to the cattle drives from Texas were the large number of cattle in Texas, higher prices at northern markets, and the grasses in the region north of Texas were more nutritious and fattening.

In 1830 the estimated number of cattle in Texas was 100,000 head. The census of 1850 showed 330,000 head. The census of 1860 showed 3,535,768 head. The increase from 1830 to 1850 was only about 330 per cent but in the next ten years the increase was 1,070 per cent.¹

Cattle accumulated rapidly during the Civil War. Texas hadn't been able to send cattle to the South after the opening of the Mississippi by the North. The cattle also increased rapidly because fewer small calves died in the warm Texas climate than did in the colder northern climate. So, when the Texas soldiers returned home from war, they found plenty of fine cattle.²

Texas had the cattle but no market. Stock cattle could be bought upon the range for from \$1.00 to \$2.00 a head, while fat beef sold for \$6.00 or \$7.00 a head. At this time cattle on the northern markets were selling for \$8.00 to \$11.00 per 100 pounds and beef was retailed at 25 cents to 45 cents a pound.³ It is small wonder that the Texans were anxious to drive North.

1. Webb, W. P., The Great Plains, 212.

2. Dale, E. E., Cow Country, 25.

3. Ibid., 25-35.

The grass was more nutritious in the North. It was ascertained that Texas cattle when driven north increased in weight more rapidly than in Texas. If a Texas steer was driven North when two years old, he would weigh 200 pounds more as a four year old than would a four year old steer in Texas.⁴ Judge Levi Parsons, President of the M. K. and T. Railroad said that the drovers would prefer to drive and graze their cattle through the Indian Territory rather than ship by rail.⁵ When April came cattle could live nicely on the open prairie. Grass was from four to six inches high in May. June, July, August and September were good grazing months and also good months in which to put up hay. In October the grass changed color. However, it was still good pasture as it didn't dry up until November. Even then there was some good grass in the sunny spots in the river bottoms.⁶ Southern Kansas was one of the best stock sections in the world.⁷

The original home of the cattle business was in southern Texas in the Nueces and Rio Grande country. The Nueces valley, a diamond shaped territory below San Antonio, has been called "the cradle of the Plains Cattle industry."⁸

Between the Mexican and Civil Wars, raising Longhorns was a profitable business. The cattle were driven from Texas to New Orleans.⁹

4. Nimmo, Jr., J., Range and Ranch Cattle Business, 23-24.

5. Southern Kansas Advance (Chetopa, Kansas), April 10, 1872.

6. The Coffeyville Journal (Coffeyville, Kansas), March 1, 1879.

7. The Sun (Parsons, Kansas), May 25, 1872.

8. Webb, W. P., The Great Plains, 211-214.

9. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 37.

The first really long drive of Texas cattle was a journey of 1,500 or 2,000 miles to California around 1853 and 1854 and continued until 1860.¹⁰ Between 1848 and 1860 some cattle were driven north; many into or through Missouri.¹¹ During the 50's cattle from Texas and the Indian Territory were driven through Kansas, both before and after it was organized as a territory.¹² One of the main reasons for passing through Kansas instead of Missouri was that December 13, 1855, Missouri passed a law prohibiting the driving through of cattle with Texas fever. The disease broke out and the counties passed legislation so that by 1858 it was almost impossible to drive through Missouri.¹³

While the Civil War was raging, some Longhorns were brought into Kansas. This was true especially between 1862 and 1865. Many Kansas residents engaged in stealing cattle from the Indians as well as from the rebels in northern Texas. Prominent citizens, Federal soldiers and Indian agents engaged in it. They employed a lawless element to do the work for them. The Mayor of Leavenworth, Kansas was one of the prominent citizens engaged in this business. Emporia and other southern Kansas towns profited from this business. On March 3, 1864 the Federal government made cattle stealing a felony punishable by a heavy fine or imprisonment or both.¹⁴

10. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 26-27.

11. Ibid., 27.

12. Ibid.

13. Ibid., 33-37.

14. Ibid., 45-46.

A Kansas law that had been passed in 1861 to combat Texas Fever was still in force in 1866. This law prohibited the bringing in of Southern cattle between April first and November first.¹⁵ In spite of this the cattlemen decided to drive North in 1866 and Baxter Springs became the objective point for most of the drovers that year. The drovers met with so much opposition that they had to sell many of their cattle secretly or drive their cattle through western Kansas, where the country was largely unsettled. Many drovers, instead of taking their cattle immediately through Kansas, decided to herd them in the Cherokee Strip or unsettled lands until November 1, when they could enter Kansas. A newspaper correspondent at Ft. Scott estimated that between 80,000 and 100,000 cattle were grazing on the Cherokee Strip alone in July 9, 1866. The drovers started to market their cattle after November 1, but the season was so far advanced that many of the cattle never reached the market in 1866 and if they did they were in poor condition and sold for low prices.¹⁶ Out of the 260,000 head driven north in 1866, few reached a profitable market. This resulted in fewer herds starting out in 1867.¹⁷ In 1867 only 35,000 head went north;¹⁸ in 1870, 500,000 head.¹⁹

An enormous amount of cattle were driven north in 1871. It broke the market and many men suffered losses.²⁰ The Abilene Chronicle

15. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 47.

16. Ibid., 48-49.

17. Dale, E. E., Cow Country, 30.

18. The Sun (Parsons, Kansas), December 2, 1871.

19. Dobie, J. Frank, A Vaguer of the Brush Country, 22.

20. Dale, E. E., Cow Country, 34.

stated the amounts driven to the various shipping points and awaiting shipment:

Now near the line of the Kansas Pacific	125,000
For the Atchison, Topeka and Santa Fe	50,000
The Missouri River, Fort Scott and Gulf	75,000
Union Pacific	50,000
Missouri, Kansas and Texas	50,000
	<u>350,000</u> 21

By mid-September of 1871 the market had tightened up. The Baxter Springs Examiner announced that a meeting was held in Baxter Springs Wednesday, September 13, 1871, for the purpose of considering the best mode of disposing of cattle. The meeting was attended by stock sellers and buyers. They appointed a representative to visit Chicago and St. Louis to look after their interests. The market wasn't too good—four year "olds" and up were bringing \$20.00, three year "olds"—\$15.00, two year "olds"—\$10.00, cows—\$10.00 and "yearlings"—\$6.00. The markets back East were more encouraging than the Chicago market. However, good butcher stuff was wanted and not lean, scraggy stock. At this time there were 50,000 head of cattle in the vicinity of Baxter Springs.²² By the end of September southeastern Kansas was over-run with Texas cattle.²³ During 1871 nearly a million cattle were driven north. Six hundred thousand came to Abilene alone while Baxter Springs and Junction City received one half as many. For miles around the shipping points, cattle were herded while their owners awaited a chance to sell or ship them. Several counties of Kansas were practically turned into cattle-yards. Prices finally fell so low that shipping was stopped entirely.

21. The Sun (Parsons, Kansas), July 15, 1871.

22. Baxter Springs Examiner (Baxter Springs, Kansas), September 14, 1871.

23. The Sun (Parsons, Kansas), September 30, 1871.

A large number of cattle was held over until the next season, but the winter of 1871-72 was very severe and thousands of cattle died from starvation.²⁴ But on December 2, 1871, the Parsons, Kansas newspaper, The Sun, stated that the cattle to be shipped next year should reach about 750,000 head and would require about 100 cars per day for every day in the year.²⁵ It seemed that some people could still look with great expectations to 1872 and expect a great rush in the cattle business.

By June of 1872 business was brisk in Baxter Springs:

The prairies on the State Line are now covered with immense herds of Texas cattle, and our city once more begins to feel the healthy influence of a brisk trade. At least 20,000 cattle are now on the line. The shipments for the past two weeks have been very heavy, and still they come. Our streets are crowded with cow-boys and mustangs; our hotels are jammed to overflowing with stock dealers and lead-seekers. Merchants, artisans, professional men, all begin to feel a new era has dawned upon us.²⁶

The movement of cattle to Baxter Springs continued to be large. The paper stated:

We are called upon every day to record the movements of large herds of long horns from Texas. Where all those cattle come from, and where they go, is a mystery. When we read the reports of cattle arriving at Wichita and other shipping points on the railroads along the line of the Indian Territory, and knowing the thousands that are daily arriving at our own doors; we are almost led to the conclusion that some of our contemporaries must exaggerate, as to the number of cattle being shipped at other points.²⁷

24. Harger, Charles, "Cattle Trails of the Prairies," Scribner's Magazine, XI (January - June 1892) 735.

25. The Sun (Parsons, Kansas), December 2, 1871.

26. Baxter Springs Sentinel (Baxter Springs, Kansas), June 8, 1872.

27. Ibid., June 22, 1872.

Fifty-six droves of cattle had passed through Ft. Worth, Texas by May 28, 1873²⁸ and this seemed to indicate that 1873 would see a large drive.

The Kansas City Price Current in 1878 stated that the Texas cattle drive that year would reach 300,000 head. The cattle were in good condition and would reach their destination much earlier than they did in 1877. About 85,000 head of cattle were in Southern Kansas and would be ready to go to market by the middle of June.²⁹

The drive north was large in 1879. For two weeks before April 24 large droves of cattle passed through the streets of Lockhart, Texas daily. Cattle being driven north already totaled more than 15,000 head. It seemed the drive in 1879 was going to be much larger than anticipated.³⁰ John Correll, Springfield, Illinois, arrived in Baxter Springs the first week in May. He intended to purchase cattle to ship back to Illinois.³¹ A large number of Texas cattle arrived in Baxter Springs during May. Many were going to be grazed before being sent to the market that summer.³²

Cattle driving continued and in 1881 a large number was driven. Some were pastured in the Indian Territory south of Chetopa.³³

There was unusual activity in the Southwest in the early spring of 1883. By April 19, 13,000 head were ready to be driven from Arkansas.

28. Southern Kansas Advance (Chetopa, Kansas), May 28, 1873.

29. The Cedar Vale Times (Cedar Vale, Kansas), May 24, 1878.

30. The Times (Baxter Springs, Kansas), April 24, 1879.

31. Ibid., May 8, 1879.

32. Ibid., May 29, 1879.

33. Chetopa Advance (Chetopa, Kansas), July 14, 1881.

It was expected that 12,000 more would soon be ready. Several thousand head had been gathered in northern Louisiana. They were going to be driven to Texas and then up the trail from there. There were going to be a lot of cattle in the Indian Nation that year:

It is estimated that no less than 200,000 head will be congregated in the Cherokee Nation alone, whence they will be distributed to the various northern and eastern markets.

Prices throughout the whole cattle region are high, yearlings ranging from \$12.00 to \$15.00, and older ones in proportion.³⁴

The drive in 1884 was large. The Kansas City Journal stated:

The Texas cattle drive this season is the largest known since 1874, and it is variously estimated at from 300,000 to 500,000 head. The cattle are in a much better condition than usual and will find purchasers in Kansas, Colorado, and the northwest. A much larger per cent, than ever before, are coming forward by rail. It is pretty generally affirmed that next year will see all of 65 per cent of the Texas cattle shipped by rail, and that in a few years the drive from Texas north will only be a campfire story related by old cowboys while on western ranges.³⁵

The cattle driven north from Texas numbered 300,000. The amount shipped was about 625,000. They were shipped direct from Texas to the markets of Kansas City, St. Louis, Chicago and New Orleans.³⁶

In 1885 the cattle business was a large enterprise. It had made a tremendous growth since the Civil War. In 1885 there were 49,417,782 cattle in the United States valued at \$1,189,577,000. Of this number, 9,000,000 head were in Texas and were valued at \$153,000,000. In the Range and Ranch Cattle area north of Texas there were 7,500,000 head of cattle valued at \$187,500,000. The total value of the cattle of

34. Baxter Springs News (Baxter Springs, Kansas), April 19, 1883.

35. Ibid., August 2, 1884.

36. Nimmo, Jr., J., Range and Ranch Cattle Business, 4-5.

Texas and the Range and Ranch Cattle area north of Texas was about \$340,000,000. This constituted nearly twenty-eight per cent of the total value of cattle in the United States.³⁷

An estimated number of more than five million head of cattle was driven north from Texas during the twenty year period from 1866 to 1885. After 1885 the drive began to decline but continued in some measure for a decade longer.³⁸

37. Nimmo, Jr., J., Range and Ranch Cattle Business, 55.

38. Dale, E. E., Cow Country, 64.

Chapter 4

ON THE TRAIL

The earliest drivers were inexperienced and early driving was largely a trial and error method. The drovers didn't know the trails or correct driving procedure. Trail herds before the Civil War generally contained only a few hundred head.¹ Later driving was reduced to a science. The correct number for a herd was 2,500 head.² To handle a herd of this size it took a crew of nine cowboys, the trail boss, a horse wrangler and a cook. During the early period of driving the owner would usually accompany the outfit but later it became customary to send the foreman. The foreman was paid around \$125.00 a month, the cowboys \$30.00, while the cook received about \$5.00 or \$10.00 more a month than the riders. The humblest of the crew was the horse wrangler who was usually a boy over fourteen years of age.

Untrue pictures of the cowboy as a knight or a semi-outlaw have been presented. He didn't have much time to be either as ninety-percenters from five to seven years of age. The steers were tall rangy five per cent of his time was spent in remote regions away from cow towns. He was usually shy and soft-spoken. For a weapon he carried a Colt's .45 caliber revolver. It was commonly known as a "forty five" and was usually carried in a holster on the hip or in a "Texas shoulder scabbard" just in front of the left arm. The "forty five" was a heavy weapon and few men carried more than one. When doing heavy work they

1. Dobie, J. Frank, The Longhorns, 85.

2. Dale, E. E., Cow Country, 35.

laid it aside. Sometimes the cowboys strapped Winchester rifles to their saddles. Few range riders were more than fair marksmen. The cowboys didn't delight in riding wild and vicious horses. Most of them were ready to "try anything once" and most of their misdeeds were pranks and no evil was intended.³

The Cedar Vale Times, Cedar Vale, Kansas, September 13, 1878, described the costumes of the Texans and Mexicans on the Kansas border:

The "sombbrero" hats generally worn by Texan and Mexican cattle men are made from the belly fur of the beaver, and are very costly. They are generally adorned with a roll or band; interwoven with threads of gold, and cost as high as \$100 each. Those generally worn are \$25 hats. The full rigging of a Mexican, mounted, might be estimated as follows: Hat \$25; clothes \$15; boots, \$15; handkerchief, \$2; two revolvers, \$30; knife, \$2; spurs, \$3; saddle, \$30; pony, \$50. It will be seen by this that the hat and boots are the most expensive part of the clothing, and are, in fact, the two articles they pride themselves on. If you notice you will see they have a very small foot, caused by constant riding and seldom walking, and it is generally in a fine hand-made, sewed, calf or goatskin boot. Their spurs are nickel plated, and the handkerchief about their neck is silk. The knife and revolvers are only ordinary, but the saddle is generally of the best, frequently being worth much more than the pony it almost covers.

(In the earlier years when making up a herd, ranchmen chose steers from five to seven years of age.) The steers were tall rangy Longhorns. As ranching spread over the North Plains the ranchers began to send young steers to sell at Kansas towns to stock the northern ranches. In fact (after 1880 by far the greatest number driven north were steers two years old or younger.⁴)

(Before starting on the trail, a round-up was held to secure the proper number to drive. If the herd was to be made up of cattle

3. Dale, E. E., Cow Country, 115-124.

4. Ibid., 26-47.

from different ranches they were usually "road branded" before starting the drive.) This was branding lightly with a bar on the side, shoulder or hip.⁵ The Cedar Vale Blade, Cedar Vale, Kansas, printed an interesting description of branding:

A few Saturdays ago on the farm of Mr. John Dosbaugh, on Rock Creek, we first saw the process of Branding Texans. Those who actively took part were our friends, Messrs. Flat, Nelson, Ward and Mr. Dosbaugh. The spectators were John Dosbaugh Jr., and your very special correspondent. Besides the men enumerated, the requisites required and used, were two posts firmly planted in the ground, some thirty feet apart, two strong ropes, each thirty feet long, a good fire and in it heating to an orthodox temperature, the branding iron, a small lot enclosed with an oblong, high, stout fence, in which the cattle to be branded were confined and in which of course, are the posts and the fire. Preparations having been duly made and all hands at their posts the fun commenced. George (we mean George Flat for though he is a Texan we are brave enough not to be afraid to simply call him George, and we like him too well to say Mr.; if he is sometimes guilty of words which might be (construed) into profanity by persons whose minds are naturally evil) threw a lariat over the head of a steer, and the thing was to get its head within a few feet of the larger of the two posts, and just here is where the amusement comes in. These Texas cattle are none of your "milk and water kind that allow frail man to lead them like lambs to the slaughter" for the slaughter comes the other way. As soon as the whizzing lariat fastens on them, the very devil, always present in them, but sometimes in a latent state, becomes aroused to the most intense pitch of excitement, and things are instantly lively in that pen and around that post. The boys travel about with ropes in their hands as if in hurried pursuit of something they can't overtake, but which not unfrequently overtakes them. Then are seen leavings, plungings, and skyward journeyings, dashing about the post, taking near cuts, describing curves innumerable, bellowing, snorting, until brute force is compelled to reluctantly yield to a combination of muscle, nerve, and mentality and the steer is drawn to the desired position. At this juncture, another noose is slipped over the heels, which, when tightly drawn, and fastened to the smaller posts, draws his hind legs together and causes the animal to recommence his exertions to free himself. But he cannot often do it, being, as nearly as a Texas steer can be, at the mercy of his tormentors, one of whom now suddenly grabs him by the tail, and with equal suddenness jerks him over on the ground, where prostrate and fast at both ends and the middle, the man at the

5. Dale, E. E., Cow Country, 48.

tail having drawn it through the hind legs and over the flank, he is ready for the branding iron, which is at hand and is instantly pressed against the desired spot. In an instant branders and branded are enveloped in a stifling, stinking smoke which, however, as quickly vanishes with the taking away of the hot iron, revealing a bright "D" as the result of their efforts. The work is complete. Head and heels are unslipped from their respective nooses, and the steer is often kicked to make him get up, when he joins his fellows, huddled together in the end of the pen. Sometimes when released a steer takes it into his head to punish his persecutors, for whom he makes a bee line, and who suddenly see something of interest to call them outside. In such cases it matters little how high the fence may be, the stimulus created by a maddened steer in close proximity, is sufficient to produce feats of activity truly wonderful. It often happens that a reprobate acts the mule to the extent of kicking, and when he does, the imitation can hardly be distinguished from the original. One tried his best to knock George down with his heels. He failed miserably. But George got mad and when we asked him why he should get in such a rage seeing he was not touched, he replied that, "He didn't care to be kicked, but it made him mad for the d--d thing to kick at him."⁶

A humorous view of cattle branding was given by the Parsons

Eclipse:

The ownership of cattle in Texas is decided by registered marks and brands. To get a mark or brand registered, one must own ten head. Anything one year old and over belongs to the man who will brand or mark it. It is necessary, therefore, for a man owning cattle to mark his calves to keep others from appropriating them. A yearling is called a "mavric;" a two year old and over is called a "conscript." Cattle breeding is a trade which gives room for excellence, as well as the printing business, or any other of the mechanic art. An expert will mount a trained horse, and while running at full speed by a yearling or even a two year old, will catch by the tail and with a jerk as he passes it, throw it to the ground, dismount and catch it before it can get up; he will then tie it and build a fire and heat a horseshoe, or any old iron he may have with him, and write the brand very much as you would mark a grain sack with a paint brush. When many are to be branded, they are taken to a ranch and corralled.⁷

6. Cedar Vale Blade (Cedar Vale, Kansas), December 7, 1877.

7. Parsons Eclipse (Parsons, Kansas), June 17, 1875.

(After the round-up and the branding of the cattle came the journey over the trail. The drive usually started in April. It wasn't until then that the grass was good enough for grazing purposes along the trail. Once on the trail a herd of 2,500 cattle moved in a column one mile long. The trail boss rode ahead and searched for watering and grazing places.) At the forward tip rode two men (one on either side of the herd) called the point. Their place was of the greatest responsibility as they guided the herd and it was here too that stampedes started. One-third of a mile back where the moving column began to bend in case of a change of course, rode two men (one on either side) "at swing." One-third of a mile farther back rode two men at "flank;" while in the rear three men brought up the "drag." The horse wrangler accompanied his remuda, or saddle band, of from five to six horses for each man. The chuck wagon usually followed the herd in the morning and preceded it in the afternoon.

The chuck wagon was a covered wagon, drawn by four mules, that carried bedding, camp equipment, and food. The wagon had a "chuck box" which fitted exactly into the rear of the wagon box when the endgate had been removed. The "chuck box" was about four feet tall and was held in place by wagon rods. The "chuck box" was fitted with shelves to hold commodities.⁸

(The first days were days of hard driving. For the first three or four days many drovers travelled at the rate of twenty-five or thirty miles a day. Hard driving tired the animals out and they became easier to control (road-broke). The herd was allowed to graze until about

8. Dale, E. E., Cow Country, 43-44.

eight o'clock in the morning and then were driven slowly until a camping place was reached about five o'clock in the evening. The herd was allowed to eat until dusk, when they were circled closer and closer together by the cowboys.⁹)

(It was very important to watch the cattle at night because of stampedes. Stamping at night seemed to be habit forming. The cowboys rode in shifts to watch them.) The first night guard usually rode until about eleven o'clock, the next guard until about two o'clock, and the next shift until daylight. The best shift to ride was the first and the middle shift was the worst. The cattle usually got up around twelve o'clock, stretched themselves and walked around a little. If they tried to walk away the campchangers turned them back and they would soon lie down and go to sleep again. (When crossing a stream, the cowboys had to watch the cattle and see that they didn't get to "milling" around. If the cattle refused to swim to the other side, the stream would soon be packed with cattle and many would drown.) The cowboys had to be on their guard against that happening.¹⁰

(A large part of the cattle drives reached the Kansas cow towns by July. Most of the shipping was late in the summer and fall.) The drive from the Red River to the Kansas cow towns was usually made in thirty or forty days. Losses on the trail were from five to ten per cent.¹¹ A herd of 2,500 cattle could travel ten to twelve miles a day. They could be driven from central Texas to the Canadian border for a

9. Streeter, F. B., The Kaw, 109-112.

10. Dale, E. E., Cow Country, 35-115.

11. Streeter, F. B., The Kaw, 117.

cost of less than one dollar per head; while to ship cattle such a distance by railroad at the present time would cost from five to ten times that much.¹²

12. Dale, E. E., Cow Country, 35-115.

Chapter 5

FEEDING IN KANSAS

Governor Robinson of Kansas in 1872 made a speech concerning Texas cattle. He brought out the fact that an estimated number of 500,000 cattle passed through Kansas each year and their passage benefited no one but the railroad companies and a few saloon keepers. About one-half of the cattle were shipped direct. If Kansas could stop the other 250,000 and:

....stuff them with eighty bushel of corn each, then she would have returned to her...\$15,000,000 annually, instead of nothing as now.¹

A newspaper in Southern Kansas reported that it would be good business to winter Texas cattle in Kansas. A good two year old could be bought for about ten dollars and could be wintered for about five dollars. The steer would make good beef by June and being a three year old would sell readily for twenty-five to thirty dollars. Even with accidents and incidental expenses this would result in a profit of over 100 per cent. The winters of Southern Kansas were short, only about three months of actual feeding. Southern Kansas was a paradise for the cattlemen. The meadows would produce from one and one-half to two and one-half tons of hay per acre. Hay could be bought for about two dollars and fifty cents per ton. Large quantities of hay were stacked and stored in 1871 and large numbers of Texas cattle were wintered in Southern Kansas.²

1. Southern Kansas Advance (Chetopa, Kansas), April 17, 1872.

2. The Sun (Parsons, Kansas), July 1, 1871; July 8, 1871; December 9, 1871.

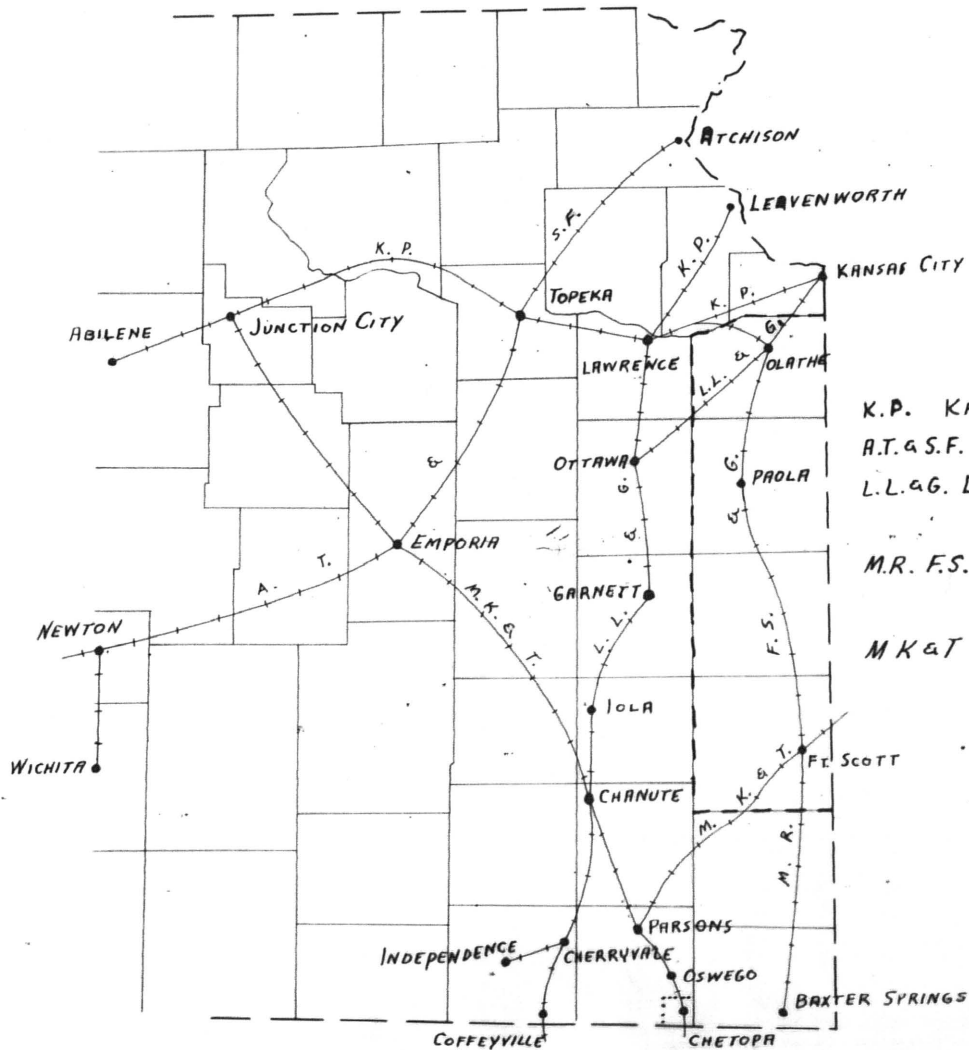
Many cattle were wintered in the Indian Territory. In the fall, 1876, two stock dealers were paying farmers twenty-five cents a bushel for corn and wanted 12,000 or 15,000 bushels of corn. They were reported to be successful cattle dealers so feeding in the Indian Territory seemed to be a profitable business.³

3. Southern Kansas Advance (Chetopa, Kansas), November 16, 1876.

Part III

RAILROADS

RAILROAD MAP OF EASTERN KANSAS 1875



K. P. KANSAS PACIFIC

A. T. & S. F. ATCHISON, TOPEKA, & SANTA FE

L. L. & G. LEAVENWORTH, LAWRENCE, &

GALVESTON

M. R. F. S. & G. MO. RIVER, FT. SCOTT,
& GULF

M. K. & T. MISSOURI, KANSAS, & TEXAS

QUARANTINE AREAS

..... 1873 --- 1859

INTRODUCTION

The end of the trail, for the cattle that were to be sent to the eastern markets, was the railroad shipping point. There were three important railroads in southeastern Kansas--the Missouri, Kansas and Texas; the Missouri River, Fort Scott and Gulf; and the Leavenworth, Lawrence and Galveston. Respectively they served Chetopa, Baxter Springs and Coffeyville.

Railroads didn't exist in Kansas before the Civil War.

Before 1862 the only states west of the Mississippi Valley in which any railroad construction of importance existed were Iowa and Missouri.¹

The Hannibal and St. Joseph Railroad reached St. Joseph, Missouri in 1859² and in 1860 the Missouri Pacific reached Sedalia, Missouri.³ By 1860 the railroads were nearing Kansas Territory; the first rail being laid in Kansas at Elwood, Doniphan County, opposite St. Joseph.⁴ The Leavenworth, Pawnee and Western was opened to Lawrence December 18, 1864. It was reorganized June 1863 and the name changed to Union Pacific, Eastern Division⁵ and April 5, 1869 was renamed the Kansas Pacific Railway Company.⁶ This road had reached Denver, Colorado by 1870 and later became a part of the Union Pacific Railroad.⁷

1. Howard, Vernon R., Sectional Interests and the Railroad to the Pacific to 1870, 57.

2. Wolf, F. E., Railway Development in Kansas, 29.

3. Webb, W. P., The Great Plains, 217.

4. Wolfe, F. E., Railway Development in Kansas, 30.

5. Ibid., 98.

6. Anderson, George L., General Wm. J. Palmer, 17.

7. Clemen, R. A., The American Livestock and Meat Industry, 192.

Chapter 6

MISSOURI, KANSAS AND TEXAS RAILROAD COMPANY

The Missouri, Kansas and Texas Railroad Company was the first railroad built primarily to tap the great reservoir of Texas cattle.⁸ The line from Junction City to Parsons was first known as the Union Pacific Railway Company, Southern Branch, but was taken over by the Missouri, Kansas and Texas Railroad Company, March 31, 1870.⁹ South from Parsons the road passed through Oswego and Chetopa to the southern boundary of Kansas. In 1859 Senator Lane had mapped out a railway system for Kansas. He called one road the Neosho Valley Road. The M. K. and T. was the outgrowth of this plan.¹⁰ The M. K. and T. connected with the Kansas Pacific at Junction City. This resulted in railroad connection by way of the Kansas Pacific into Kansas City.

The Southern Kansas Advance announced June 1, 1870 that before the paper would greet the eyes of the subscribers the iron horse would cross the city limits.

Merchants who advertise their goods in charcoal sketches on the rears of outhouses....., doctors who dose with condition powders and are "hell on fits,"....must now turn tail on progress and migrate to more favored places on the skirts of civilization.¹¹

The people of Chetopa were sure that civilization had reached them at last. One of the big heroes was Bob Stevens; who was in charge of

8. Dale, E. E., Cow Country, 241.

9. Wolfe, F. E., Railway Development in Kansas, 100.

10. The Sun (Parsons, Kansas), June 17, 1871.

11. Southern Kansas Advance (Chetopa, Kansas), June 1, 1870.

railroad construction. He was responsible for the building of the 185 miles of railroad between Junction City and the Indian Territory in less than a year.

The south line of the state of Kansas was reached June 6, 1870. The end of the line was two miles and 100 rods south of Chetopa.¹² By June 22, 1870, cars were running daily from Junction City. The people of Chetopa were elated. The Southern Kansas Advance stated:

This road has, by a recent decision of the Secretary of the Interior, been decided to be the grand trunk line to Texas.¹³

The people of Chetopa were interested in getting a railroad to their town from the south. The Chetopa Advance, October 13, 1869 printed an item from the Galveston News stating that the Texas Central Railroad and the Railroad coming from Kansas were only about 400 miles apart and work was going forward rapidly.¹⁴ In April, 1870, The Cherokee Nation was reported to be favorably disposed to undertake the building of a railroad from Chetopa to Gibson in the Indian Territory.¹⁵

The people of Chetopa labored to get the people of Kansas City to cooperate on building a railroad between those points. A Commission was sent to Kansas City to enlist their aid, but without success. The Southern Kansas Advance, Chetopa, stated:

Chetopa has been, now is, and will continue to be, one of the great central points of the Texas cattle trade. Kansas City should help in the construction of the....road to Chetopa.¹⁶

12. Southern Kansas Advance (Chetopa, Kansas), June 8, 1870.

13. Ibid., June 22, 1870.

14. Chetopa Advance (Chetopa, Kansas), October 13, 1869.

15. Southern Kansas Advance (Chetopa, Kansas), April 13, 1870.

16. Ibid., May 25, 1870.

The real reason that the M. K. and T. was to receive right-of-way across the Indian Territory was because it reached the territory of the Five Nations before any other railroad. Treaties between the United States government and the Indians had been made regarding railroads. The last treaty was made July 27, 1866. These treaties authorized the building of two railroads—one from north to south and the other from east to west. As the M. K. and T. reached the northern boundary of the Indian Territory first; it was given the right to construct a line south from Kansas through Indian Territory.¹⁷

Orders were issued to contractors on the M. K. and T. to commence work in the Indian Territory soon. By July 27, 1870 twelve miles of grading were already complete and an additional twenty miles were to be graded as far as Big Cabin Creek. The reason for rushing the road this far was to intersect the main cattle trail leading to Baxter Springs. The M. K. and T. planned to secure the entire Texas cattle trade.¹⁸ The Chetopa paper September 14, 1870 stated:

Texas cattle are arriving in large numbers. Several droves will be kept here till the completion of the Sedalia road.¹⁹

October 26, 1870 seven cars loaded with Texas cattle were sent up the M. K. and T. Road. It was expected that within fifty days a railroad between Chetopa and Sedalia, Missouri would be completed. This would give Chetopa an advantage in time and distance required to ship back East over other cattle shipping points. Stock yards to accommodate cattle were being built at this time.²⁰ Cattle shipments were

17. Gittinger, Roy, The Formation of the State of Oklahoma, 82.

18. Southern Kansas Advance (Chetopa, Kansas), July 27, 1870.

19. Ibid., September 14, 1870.

20. Ibid., October 26, 1870.

continuing in November and one day that month eighteen carloads of Texas cattle were shipped.²¹

The Southern Kansas Advance, Chetopa, Kansas, February 15, 1871 stated:

This week trains begin running regularly between Sedalia and Chetopa.

This meant that a through line east to St. Louis was now open and Chetopa could offer the drovers shipping advantages equal or surpassing other shipping points.²²

They didn't succeed in securing the entire cattle trade but they did build fast. By June 17, 1871 the M. K. and T. had built in two years upwards of 400 miles of railroad, had graded ninety miles into Indian Territory, and were running trains thirty-five miles to Big Cabin Creek in the territory. They hoped to be south of the Arkansas River by July 1, enabling people to celebrate the 4th at Fort Gibson. The M. K. and T. hoped further to be at the Red River on the northern boundary of Texas in eighteen months and hoped in two years to have 800 miles of road in operation.²³

The several divisions of the M. K. and T. centered in the new town of Parsons. Parsons was just six weeks old (June 17, 1871) and already had more than 100 houses constructed. The various divisions centering at Parsons were: the Neosho division which commenced at Junction City on the Kansas Pacific and extended down the Neosho Valley to Parsons, a distance of 158 miles; the Sedalia division ran from Sedalia, Missouri,

21. Southern Kansas Advance (Chetopa, Kansas), November 9, 1870.

22. Ibid., February 15, 1871.

23. The Sun (Parsons, Kansas), June 17, 1871.

on the Missouri Pacific to Parsons, a distance of 160 miles; the Cherokee division commenced at Parsons and ran south through Indian Territory about thirty-five miles.²⁴ The divisions centering at Parsons gave the M. K. and T. system an appearance best described as a capital Y. The right arm interlocked the Missouri Pacific at Sedalia, Missouri while the left arm interlocked the Kansas Pacific at Junction City, Kansas. On the Sedalia division the road ran from Sedalia through Nevada, Missouri, Fort Scott, Kansas, Osage Mission, Kansas and to Parsons. From Parsons south the line ran into the Indian Territory.²⁵

The M. K. and T. was one of the marvels of Western railroad construction. It was rapidly built as during the last eleven days of building to the state line, twenty-six and one-half miles was constructed.²⁶

By July 1, 1871, the Parsons, Kansas newspaper, The Sun, felt that the tide was turning in favor of the M. K. and T. It was thought that at least one-third of the large drive of that year would go east by that road. The road was reaching nearer Sherman, Texas.²⁷

The Sun quoted the Council Grove Democrat as to the popularity of the M. K. and T.:

The M. K. and T. road proposes to ship as cheap as any railroad in the country. Evidence of popularity are the immense herds of cattle daily coming here for shipment via Sedalia to St. Louis and the East. Shippers say the stock cars are the finest and most commodious of any road in the west.²⁸

24. The Sun (Parsons, Kansas), June 17, 1871.

25. Ibid., April 20, 1872.

26. Ibid., January 20, 1872.

27. Ibid., July 1, 1871.

28. Ibid., July 8, 1871.

The Fort Scott Monitor was quoted:

The heavy shipments of cattle have begun in earnest. Cattle are loaded at Cabin Creek. We learn from Mr. Abeel and Mr. Gladding of the M. K. and T. that the prairies about Cabin Creek are covered with cattle, and that the shipments will now be steady and constant.²⁹

By mid-July, 1871, shipments on the M. K. and T. through Parsons averaged about twenty cars per day. The cattle trade was rather dull as there was a tendency to wait for prices to rise. The drive up from Texas was unusually large so it seemed that prices would be lower than former years.³⁰

The terminus of the M. K. and T. on July 22, 1871 was Prior Creek, Indian Territory. The road was to be completed to Fort Gibson in about twenty days.³¹ By July 26, 1871, immense herds of Texas cattle were congregated at Big Cabin Creek awaiting shipment.³² The Company was working hard and on July 29, 1871, had about 3,000 men at work in the Indian Territory. They made a small army of graders, track layers, tie haulers, etc.³³

There were about 50,000 head of cattle by August 12, 1871, near Big Cabin Creek, Cherokee Nation waiting to be shipped over the M. K. and T. Several large shipments had already been made. Quite a town of tents had sprung up. Hotels and refreshment saloons were in abundance and there were barber shops and all the conveniences of larger towns.

29. The Sun (Parsons, Kansas), July 8, 1871.

30. Ibid., July 15, 1871.

31. Ibid., July 22, 1871.

32. Southern Kansas Advance (Chetopa, Kansas), July 26, 1871.

33. The Sun (Parsons, Kansas), July 29, 1871.

The town could also boast of an excellent physician, Dr. G. Cummings of Baxter Springs.³⁴

The track was finished to within twelve miles of the Arkansas River by August 19, 1871. During Thursday, August 17, two trains with forty-seven cars of Texas cattle passed through Parsons.³⁵

Choteau was the present temporary terminus on August 26, 1871. It had been for two or three weeks and it looked as though it might be for two or three weeks longer. Stage coaches provided transportation from Choteau to Texas. This line was provided with first class Concord coaches and left Choteau when trains arrived. The line went twenty-five miles to Fort Gibson, seventy-eight miles to Ocmulgee, the proposed capital of the Indian Confederation, and 200 miles to Sherman, Texas.³⁶

By this time some people resented the fact that so vast amount of land was in the hands of the Indians. The Indian population was Cherokees—15,000, Choctaws—15,000, Creeks—13,000 and Seminoles—2,500. With other small tribes this made a population of about 70,000.³⁷

Track laying was finished to Gibson, the next station, by September 2, 1871. It was near the Verdigris River and about three miles from Ft. Gibson.³⁸

Movement of cattle over the M. K. and T. was quite large between October 14 and October 21, 1871. About 100 cars from the Indian

34. The Sun (Parsons, Kansas), August 12, 1871.

35. Ibid., August 19, 1871.

36. Ibid., August 26, 1871.

37. Ibid.

38. Ibid., September 2, 1871.

Territory were sent over the road and a large number were sent above Parsons. There was a good deal of stock yet in the Indian Territory but the market was dull in the East.³⁹

Gibson, the terminus of the road on October 28, 1871, was eighty-five miles from the state line and over 110 miles from Parsons. It was a town of about 500 inhabitants.⁴⁰ For a short time in October, 1871, a party of roughs and gamblers ruled the town. On Wednesday, October 25, 1871, they commenced shooting their revolvers in the streets and daring citizens to fight, riding on horseback through the streets and shooting at almost every object. Citizens took the law into their own hands under the leadership of Mr. Keys, an Indian merchant in Gibson. One of the toughs, Slippery Jack, was shot in the head and taken prisoner. The others were driven out of town. One of the Indians who aided in driving them out was shot in the thigh but not seriously injured. A council was held to determine whether to shoot or hang Slippery Jack. As he was in such a serious condition from his head wound they agreed to let him go if he promised to leave the Indian Nation and never again enter it.⁴¹

A dispatch to the Fort Scott Monitor dated Gibson, I. T., October 28, stated:

Last night two brothers by the name of Collier, white men, citizens of the Indian Territory; while attempting to ride into Gullingers store, about 2 miles from the end of the track were shot and killed instantly by Gullinger. One of Colliers is the man who wantonly shot and killed a Mrs. Collins about a year ago.⁴²

39. The Sun (Parsons, Kansas), October 21, 1871.

40. Ibid., October 28, 1871.

41. Ibid.

42. Ibid., November 4, 1871.

There were about 200 people living in Gibson in December of 1871. They were almost without exception the lowest dregs of humanity. Creeks, Cherokees, half-breeds, Negroes, gamblers and desperadoes made up the community. There was no law and order to speak of; murders were by no means a rare occurrence and the "basest passions of mankind reigned triumphant." Tents and a few houses thrown hastily together made up the living quarters of the citizens.⁴³

The M. K. and T. finished their bridge across the Arkansas River on December 21, 1871. Work had been started early in the summer. The total cost of the bridge was \$95,000.00. The masonry was of a superior quality of sandstone. The piers were built from "bed-rock" and were forty-eight feet high. This was about ten feet above the high water mark. The total length of the bridge was 800 feet. It was composed of four spans, each 200 feet long and 241 feet high. The bridge was built for safety and tested. It was subjected to six times the strain that would be required of it.⁴⁴

In April 1872 Judge Levi Parsons, President of the M. K. and T. Railroad, said:

....few if any cattle will be loaded at the end of the track, even if the road should reach Red river by fall. Drovers will prefer to drive and graze their cattle through the Indian Territory to shipping them by rail....⁴⁵

The M. K. and T. road got a large share of the cattle business in June 1872, and continued to receive a large trade in November, 1872. During

43. The Sun (Parsons, Kansas), December 23, 1871.

44. Ibid., January 13, 1872.

45. Southern Kansas Advance (Chetopa, Kansas), April 10, 1872.

one week 385 cars of 7,315 head of cattle were shipped. It seemed that the farther the line built south, the more its business increased.⁴⁶

Chetopa continued to receive a large cattle trade in 1873. One day in June fifty-three carloads of Texas Longhorns were unloaded at the stockyards.⁴⁷ August 27 a report of the business transacted so far that year was issued:

Mr. A. A. Shepherd has handed us the following report of the stock business at the yards from May first up to date.

Receipt of live stock cars 756; (in which were) 15,762 cattle; 6,520 sheep; and 00 hogs.⁴⁸

On the 17th of March, 1873 the M. K. and T. expected to make connection with the Houston and Texas Central Railroad at Denison, Texas. This would mean a through line to the Gulf of Mexico. To the people of Chetopa this seemed a momentous event:

In the course of a few years, should the rates of freight and faire be reduced to what would be just and right, the whole business and commerce of this country will be revolutionized.⁴⁹

By March 5, 1874 Pullman accommodations were available from Galveston.⁵⁰

Cattle shipments were large in 1875. The Parsons Eclipse, Parsons, Kansas, June 17, 1875 stated:

Cattle passing through this place to St. Louis and other eastern markets are estimated at 30 car loads a day for the last 20 days. They are in excellent condition this year.

46. The Sun (Parsons, Kansas), June 8, 1872; November 2, 1872.

47. Southern Kansas Advance (Chetopa, Kansas), June 25, 1873.

48. Ibid., August 27, 1873.

49. Ibid., March 12, 1873.

50. Columbus Journal (Columbus, Kansas), March 5, 1874.

From June 16 to June 30 cattle shipments continued to be very heavy.⁵¹ This month was a very busy month. The M. K. and T. road shipped 1,000 car loads of cattle from Denison. During this month 11,638 head of cattle were fed overnight at the Parsons stockyard and started on to Chicago and Eastern markets. The number to be shipped in July was expected to be much larger as by the middle of that month shipments were larger than ever before.⁵²

In August 1875, the stock yards at Parsons put up 500 tons of hay. Many dealers fed their cattle at Parsons. One of the big agents who fed there was W. M. Edgar:

Mr. W. M. Edgar, traveling agent for Messrs. Loving and Hedges, heavy dealers in Texas cattle and stock generally, at Denison, Texas was in town Thursday. Edgar is one of the liveliest cattle boys from the borders of Texas to the market, and runs more cattle over the road than any other shipper. He always feeds at Parsons and Hannibal yards,....⁵³

By 1876 the M. K. and T. had very good connections. The line had over 800 miles of road in operation. The M. K. and T. connected with the Missouri River, Fort Scott and Gulf road at Fort Scott giving them connection to Kansas City. The M. K. and T. gained St. Louis connection at Sedalia, Missouri and gained Chicago connection at Hannibal, Missouri on the Hannibal and St. Joseph Railroad.⁵⁴

Chetopa was important as a shipping point in 1879:

As a shipping point for cattle, Chetopa seems to be becoming one of the most important in this section of the State. Last

51. Chetopa Herald (Chetopa, Kansas), June 30, 1875.

52. The Sun (Parsons, Kansas), July 17, 1875.

53. Ibid., August 14, 1875.

54. Chetopa Herald (Chetopa, Kansas), March 4, 1876.

Sunday sixty-four car loads were shipped from here to Chicago.... Eleven more car loads went forward on Tuesday, and 200 car loads are on the way to Russell Creek for shipment, and are expected in this week.⁵⁵

By December 1880, the M. K. and T. became the Texas branch of the Missouri Pacific Railroad. This change was made when Jay Gould obtained a controlling influence over the road. These roads and their branches made up 1,900 miles of line; the M. K. and T. having had 825 miles and the Missouri Pacific had 1,075 miles.⁵⁶

Cattle shipping continued in 1881, 1882, and 1883.⁵⁷ In 1883, a cattleman from Texas talked of feeding 35,000 bushels of corn that winter in Chetopa.⁵⁸

In 1884 shipping was continuing.⁵⁹ In 1885 cattle were being shipped to Kansas City. One cattleman wishing to ship to Kansas City drove his cattle from Chetopa to Baxter Springs and shipped from there. He said that he could get faster shipping time from there and also save ten dollars on each car shipped.⁶⁰ Cattle were still being shipped during November 1885.⁶¹

55. Chetopa Advance (Chetopa, Kansas), September 11, 1879.

56. Ibid., December 9, 1880.

57. Ibid., February 24, 1881; June 9, 1881; July 6, 1882; August 10, 1882; July 12, 1883; August 23, 1883.

58. Ibid., September 20, 1883.

59. Ibid., March 6, 1884.

60. Ibid., September 17, 1885.

61. Ibid., November 5, 1885.

Cattle shipments were heavy in 1887. The Chetopa newspaper in June asserted:

The stock yards at this place were so crowded last Friday that two train loads of stock had to be sent farther up the road for feed and water.⁶²

The stockyards were so busy in June that sixteen new pens had to be built to accommodate the cattle. During one week the stock yards handled 564 cars of stock.⁶³

Business continued to be good in 1888 as 300 cars were handled one night at the stock yards and 400 more cars were reported on the way. The M. K. and T. was a popular route; one shipper having sent 100 car loads over that route.⁶⁴

In conclusion, the M. K. and T. can be said to have been of first importance as a cattle road. It was the first line built primarily to tap the cattle trade, and as it was the first line built through the Indian Territory prior to 1889, it loomed large in that business.

62. Chetopa Advance (Chetopa, Kansas), June 16, 1887.

63. Ibid., June 30, 1887.

64. Ibid., July 11, 1888.

Chapter 7

MISSOURI RIVER, FORT SCOTT AND GULF RAILROAD

The Missouri River, Fort Scott and Gulf Railroad was the second road to be built to the south line of Kansas. It was first known as the Kansas and Neosho Valley Railroad and was opened from Kansas City to Olathe, December 16, 1868. The railroad was extended to Fort Scott, December 9, 1869, and to Baxter Springs and the state line May, 1870. This was a distance of 160 miles.¹

According to D. W. Wilder:

May 12 (1870) -- Baxter Springs celebrates the completion of the Missouri River, Fort Scott and Gulf Railroad.²

This was quite a celebration. The Southern Kansas Advance stated there were "5,000 celebrated celebraters from all parts of the state" to celebrate.³ This celebration resulted in quite a mixed gathering:

The crowd is promiscuous, mixed and various. Journeymen bummers, professional vagabonds, showmen and gamblers, ravenous landsharks and hungry editors, clouted Indians and Kansas City clerks, members of the League and the demi monde, nude dancers of the can-can and the elite of Scott, pretty beer girls in the flaunting robes of harlotry and country girls with honest blushes, are mingled and jostled in the surging crowd of strangers.⁴

The Quapaw Indians put on an Indian dance:

(in) A cold, statuesque, vis-a-vis position, or in single Indian file, they circle round the fire with a monotonous bobbing motion to the tap of a drum which sounds like the

1. Wolfe, F. E., Railway Development in Kansas, 101.

2. Wilder, D. W., Annals of Kansas, 518.

3. Southern Kansas Advance (Chetopa, Kansas), May 18, 1870.

4. Ibid.

thump of a sheep's tail in a fur hat, accompanying all with a most uneuphonious chant, doleful and discordant enough to imperil pregnancy.⁵

A word of explanation is here necessary as to why the M. K. and T. Railroad gained the right to build across the Indian Territory when the Missouri River, Fort Scott and Gulf Railroad reached the southern state line first. The Missouri River, Fort Scott and Gulf Railroad reached Baxter Springs and the state line in May 1870.⁶ It was not until June 6, 1870, that the M. K. and T. reached the line.⁷ What really happened was that the builders of the Kansas and Neosho Valley road (Missouri River, Fort Scott and Gulf road) crossed the line first; but their engineers and surveyors made a blunder and instead of building into the territory of the Five Nations, they built into the Quapaw Indian Reservation. Neither line had a right to build there. The M. K. and T. had built into the Cherokee Nation of the Five Nations. So, the M. K. and T. gained the right of way across the Indian Territory.⁸

The Missouri River, Fort Scott and Gulf Railroad started shipping Texas and Indian Longhorns from Baxter immediately. About 65,000 head of cattle were transported by this railroad during 1870.⁹

The people of Baxter Springs were anxious to keep the cattle trade. There was a proposed railway from St. Louis to Baxter Springs

5. Southern Kansas Advance (Chetopa, Kansas), May 18, 1870.

6. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 418.

7. The Opening of the Great Southwest, (published by the Katy Lines in 1945), 10.

8. Ibid., 10-11.

9. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 418.

by way of Fort Scott. This would be a saving of 61½ miles over the railroad to Chetopa.¹⁰ They didn't get this proposed road but work was started soon after September 14, 1871 on the Bolivar and Baxter Springs Railroad. This road would connect Baxter Springs with Bolivar, Missouri, and it was thought that about sixteen months would be required to complete this line.¹¹

Baxter Springs was the main shipping point on the Missouri River, Fort Scott and Gulf road. It was situated right on the line of the Indian Territory. The Baxter Springs Sentinel made a number of claims as to the merits of its town. The country around the town was suited admirably for the grazing of stock. The grass was of superior quality, there were a number of streams that furnished plenty of stock water, and it was a fertile region growing crops in abundance. By June 8, 1872, the town had three banks and a number of good hotels. The stock yards were complete in every particular and with every facility for shipping. The yards were under the supervision of men experienced in the cattle trade and who knew how to meet the wants of the dealers. The manager of the yards had been there two years and was well qualified to advise the drovers. No cattle had yet been injured over this railroad through any fault of the road.¹² These were claims laid by a paper that was naturally interested in benefiting the home town.

According to reports they had received, the Kansas City Stock Journal, a paper published in the interests of the Drovers and Stock

10. The Cherokee Sentinel (Baxter Springs, Kansas), September 1, 1871.

11. Baxter Springs Examiner (Baxter Springs, Kansas), September 14, 1871.

12. Baxter Springs Sentinel (Baxter Springs, Kansas), June 8, 1872.

dealers of the Southwest, in 1872 set forth Baxter Springs' claims as to the grazing territory available there for the drovers wishing to herd their cattle to fatten them before shipping. A vast grazing territory was available and was bounded on the east by Spring River, on the south by the Grand River, on the west by the Neosho River and on the north by the State of Kansas. This was a vast grazing territory and with all the advantages Baxter Springs possessed, it seemed as though the bulk of the cattle trade would come there.¹³

Twenty-seven car loads of cattle were shipped from Baxter Springs on June 21, and there were over 100 car loads to be shipped the first of the week. Two droves, of 700 cattle each, were on their way, by Fort Gibson, to Baxter Springs.¹⁴

The Missouri River, Fort Scott and Gulf Railroad didn't have as large a volume of trade for as long a period of time as did the M. K. and T.; however, it did secure a large traffic for several years.¹⁵

This line was consolidated in 1888 with the Kansas City, Springfield and Memphis Company under the name of the Kansas City, Fort Scott and Memphis Railroad Company.¹⁶

13. Baxter Springs Sentinel (Baxter Springs, Kansas), June 8, 1872.

14. Ibid.

15. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 405.

16. Chetopa Advance (Chetopa, Kansas), May 2, 1888.

Chapter 8

LEAVENWORTH, LAWRENCE AND GALVESTON RAILROAD

The Leavenworth, Lawrence and Galveston Railroad was completed from Lawrence, where connection over the Kansas Pacific line to Kansas City could be secured,¹ to Coffeyville by August 1871. This was a short and direct route of 144 miles² that required only eleven hours to place stock in Kansas City.³ The name of the line was later changed to the Kansas City, Lawrence and Southern Railroad.⁴

The town of Parker had first been selected as the southern terminus of the Leavenworth, Lawrence and Galveston Railroad. In a year it had a population of more than 1,000 people. A town called Coffeyville had been started by Col. Coffey and N. B. Blanton in the fall of 1869. The railroad builders changed their minds and decided not to build to Parker. In 1871, Coffeyville moved and became the terminus of the railroad. The people of Parker stampeded from there and soon the town was practically gone.⁵

In October 1871 Capt. J. C. Leach, who was the general cattle agent for the Leavenworth, Lawrence and Galveston Railroad, came to town. In 1872 he brought in about 60,000 head of cattle and in 1873 about

1. Wolfe, F. E., Railway Development in Kansas, 101.

2. Powell, Cuthbert, Twenty Years of Kansas City's Livestock Trade and Traders, 79.

3. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 405.

4. Wolfe, F. E., Railway Development in Kansas, 104.

5. Andreas, A. T., History of the State of Kansas, 1,574.

70,000 head.⁶ It was estimated that over 80,000 head of Texas cattle were driven to Coffeyville in 1873.⁷

Cattle shipments were large in 1876. Cattle were being shipped in June;⁸ by August 5 about 10,000 head of Texas cattle were being driven to Coffeyville for shipment and were expected to arrive soon.⁹ Cattle shipments of ten cars each were being made daily early in August;¹⁰ while by the latter part of that month seventeen cars of Longhorns would be shipped some mornings.¹¹

The editor of the Coffeyville Journal, Coffeyville, Kansas, August 5, 1876, stated:

We were pleased to receive a call from Mr. Drumm a few days ago. He is driving his cattle to Coffeyville to ship them, as the difference in price per car from Coffeyville to Kansas City and Wichita to Kansas City, is fifteen dollars per car, in favor of Coffeyville. Which makes quite an item when a man has 1,000 head to ship.

Cattle shipments continued in 1877; shipments of twelve cars daily¹² and later in the season shipments from thirty to forty cars daily were made.¹³

6. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.
7. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 308.
8. Coffeyville Journal (Coffeyville, Kansas), June 10, 1876.
9. Chetopa Herald (Chetopa, Kansas), August 5, 1876; Coffeyville Journal (Coffeyville, Kansas), August 5, 1876.
10. Coffeyville Journal (Coffeyville, Kansas), August 5, 1876.
11. Ibid., August 26, 1876.
12. Ibid., August 4, 1877.
13. Ibid., August 25, 1877.

In 1878 a herd of cattle were driven to Chetopa from Coffeyville to be shipped on the M. K. and T. line rather than on the Leavenworth, Lawrence and Galveston road. The reasons given for driving to Chetopa were that shipping accommodations were better and the shipping rates lower.¹⁴ In spite of this competition and a general depression that year, nearly 300 cars of cattle were shipped.¹⁵

Cattle shipments were larger in 1879. Two hundred and twenty-three car loads of cattle were shipped during twenty-five days in July and August.¹⁶ By the last part of September about 1,000 car loads of cattle had already been shipped.¹⁷ From June 1 to December 1, 663 cars of cattle were shipped from Coffeyville.¹⁸

Cattle shipments continued in 1881¹⁹ and 1882;²⁰ nearly 300 cars of cattle being sent in 1882.²¹ In 1886 cattle continued to be shipped; thirty car loads of cattle being sent out in one day.²²

14. The Cedar Vale Times (Cedar Vale, Kansas), July 26, 1878.

15. Coffeyville Journal (Coffeyville, Kansas), January 3, 1880.

16. Ibid.

17. Ibid., September 27, 1879.

18. Ibid., January 3, 1880.

19. Ibid., July 23, 1882.

20. Ibid., July 8, 1882.

21. Ibid., January 1, 1883.

22. Ibid., July 3, 1886.

SUMMARY

By January 28, 1875, Kansas had 2,082 miles of railroad lines within the state; all of it having been built since the war.²³

By 1879 the following railroads operated in Kansas with total mileages listed as follows:

Atchison, Topeka and Santa Fe	470.60
Central Branch of the Union Pacific	265.57
Kansas Pacific	533.63
Missouri, Kansas and Texas	253.30
St. Joseph and Denver	130.40
Missouri River, Fort Scott and Gulf	158.15
Leavenworth, Lawrence and Galveston	143.21

These lines plus a number of smaller lines resulted in a grand total of 2,443.67 miles.²⁴

An idea of the number of cattle shipped over a period of years might be gained from this chart:

Railroads	Number of cattle shipped			
	1871	1876	1881	1890
Kansas Pacific	84,597	72,275	44,512	138,672
Kansas City, Fort Scott and Gulf	20,325	13,344	19,047	76,809
Atchison, Topeka and Santa Fe	- - -	52,503	121,571	615,505
Lawrence and Southern	9,540	22,278	56,500	- - - -
Missouri Pacific	281	3,139	20,858	244,022
Total	114,743	163,489	262,488	1,075,008
Per cent of increase		42	60	309 .25

The Kansas Pacific served Junction City and Abilene. The Kansas City, Fort Scott and Gulf (Missouri River, Fort Scott and Gulf) served Baxter

23. Southern Kansas Advocate (Chetopa, Kansas), January 28, 1875.

24. The Times (Baxter Springs, Kansas), June 26, 1879.

25. Powell, Outhbert, Twenty Years of Kansas City's Livestock Trade and Traders, 80.

Springs. The Atchison, Topeka and Santa Fe served Peabody, Newton, Hutchinson, Wichita and Dodge City. The Lawrence and Southern (Leavenworth, Lawrence and Galveston) served Coffeyville. The Missouri Pacific served Omaha, Nebraska and Beloit, Kansas.²⁶

In time there began a movement that was a combination of driving and shipping. Dr. James C. Malin in discussing that movement states:

In 1883 and prior to the closing of the trails, competing Texas railroads experimented in a large way with rail shipments from south Texas by way of Fort Worth to rail heads on the Red river, particularly Wichita Falls from which the drive would commence. This would put the cattle on northern grass earlier and if rates were favorable, more cheaply than to drive the whole distance. As the trails were closed such cattle were driven from the northern rail heads into the Indian territory as the only place left where Texas cattle might go legally. Fatted on grass they were shipped from Kansas border points.....²⁷

26. Powell, Cuthbert, Twenty Years of Kansas City's Livestock Trade and Traders, 76-80.

27. Malin, James C., An Introduction to the History of the Bluestem-Pasture Region of Kansas, 14.

During the early period of cattle raising the cowboys had to contend with the Indians, who occupied the entire Territory and looked upon the cowboys as intruders. The Indians were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle.

The Indians were hostile to the cowboys. They were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle.

Part IV

the western part of the Territory and the Indian Territory. This

DIFFICULTIES OF THE CATTLE BUSINESS

of the country to send the cattle to the market. In 1870 and 1871 there was a great deal of trouble in the country. The Indians were still hostile to the cowboys. They were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle. They were not only hostile to the cowboys but also to the cattle.

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State of Texas

Chapter 9

INDIANS

(During the early period of trail driving the cowboys had trouble with the Indians, when crossing the Indian Territory. Later, the Indians weren't so troublesome but did charge a toll for passage through or grazing on their land.)

(The Indians made trouble in 1866. They were well supplied with guns and ammunition that had been sold to them the previous winter by United States Indian agents.¹ The Indians were more troublesome in the western parts of Kansas and the Indian Territory. This caused many of the drovers to head for Baxter Springs in 1866 and 1867, as the Indians weren't so troublesome in the eastern portions of Kansas and the Indian Nation.² The Indians were still troublesome in 1868. H. H. Halsell told of an attack on his father March 15, 1868, while taking cattle to Kansas. The Indians weren't so interested in taking cattle as they were in taking horses and scalps. However, the white men were as persistent in taking the Indians' scalps as the Indians were theirs. This incident happened about four miles northwest of the present town of Bowie, Texas.³ After 1870 there weren't so many battles of this sort. (The cattle drovers employed some hardy characters on their crews; many of the crew being professional gunmen. A few skirmishes with crews like these caused the Indians to adopt a more friendly attitude.⁴)

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1. Crawford, S. J., Kansas in the Sixties, 231.
 2. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 53.
 3. Halsell, H. H., Cowboys and Cattleland, 62-63.
 4. Streeter, F. B., Prairie Trails and Cow Towns, 75.

The Indians decided to tax the drovers. They had this right under the Indian Act of 1834. This act put a penalty of one dollar per head for cattle that were driven across Indian lands without consent of the Indians. The Cherokee National Council agreed on December 16, 1867 to set the tax at ten cents per head and other tribes followed in setting up tolls.⁵ This was followed by a tax on grazing in the Nation. S. T. Rogers, Deputy Sheriff in the Indian Nation had printed on July 20, 1869:

Notice is hereby given that I have been directed by the authorities of the Cherokee Nation to collect the monthly tax levied by the Nation upon all herds of cattle grazing within the limits of the Nation.⁶

November 28, 1869 the National Council of the Cherokee Nation passed an act stating, that drovers seeking to evade payment of grazing or passage privileges, by pretending that the stock belonged to a citizen of the Nation, could be charged twice the regular payment. One-half of the amount collected was to be kept by the sheriff. If the citizen of the Nation, refused to answer on oath as to the ownership of cattle, the Sheriff was to report the facts to the Solicitor of the District and to assist the Solicitor in the prosecution. If a citizen of the Cherokee Nation was convicted, the fine was to, be not less than \$100.00 or more than \$700.00. One-half of the fine was to belong to the Sheriff and Solicitor. (This act also clarified the term "driving stock through the Nation." Driving was taken to be progressing on a direct travelled route toward a point of destination; of not less than fifteen miles a day with mules and horses, or ten miles per day with cattle.) Unavoidable detention by high water wasn't to be considered a violation of the act. This Act was signed by Lewis Downing, Principal Chief of the Cherokee Nation.⁷

5. Osgood, E. S., The Day of the Cattleman, 35.

6. Chetopa Advance (Chetopa, Kansas), September 22, 1869.

7. Southern Kansas Advance (Chetopa, Kansas), February 9, 1870.

The Tax on cattle caused a great deal of worry to the cattlemen who didn't think the tax was just. G. I. Weaver, prominent cattleman, sent a letter to Senator Pomeroy of Kansas and received a prompt answer:

U.S. Senate Chamber
Washington
April 24, 1870

Dear Sir:

Upon the receipt of your letter and the Petition from the "cattle men", I went to see the Attorney General, and at last to the Secretary of the Interior, and then to the Commissioner of Indian Affairs. After a consultation of some days--when we looked up all the provisions of the old treaties, they have decided to file the Petition, and upon it send a special Commissioner to Kansas to see these drovers, and go down and meet the Indians and arrange the matter so that cattle can be driven from Texas to Kansas without trouble or hindrance. If it is not done--or if there is a continuance of this unjust tax, write me again, and we will open the whole Territory by an act of Congress. The trade must not be interfered with, and it shall not be. Waiting to hear from you again

I am,
S. C. Pomeroy

There were many people in Kansas who benefited from the Texas cattle trade. They were quite anxious for the cattle toll to be abolished. The Southern Kansas Advance, Chetopa, Kansas, July 13, 1870 expressed its opinion on the cattle tax:

We are informed that the article from the Kansas City Journal, in regard to the tax on Texas cattle, which we copied in this paper, is an error. Cattle driven through the Creek and Cherokee Nations are taxed but five cents a head, which is certainly a very light tax. Our Indian informant makes this good point. Should not Missouri and Kansas be a little modest about this insignificant tax, when both of these States will not allow these cattle to be driven through their territory for any sum during nine months of each year?

This same paper had seemingly changed its mind regarding the tax by September 7, 1870:

8. Southern Kansas Advance (Chetopa, Kansas), May 18, 1870.

It seems that Agent Gibson, the broad brimmed Quaker paternal of the sweet scented Osages, has given unto Joe, the notorious Osage horse thief, written authority to levy a tax upon the cattle drovers passing through the Osage lands. This same Gibson not long since, sent through the Associated Press a dispatch to the effect that the settlers of Montgomery county had, within the last year, stolen 3,000 ponies from the Osages and had driven them from their corn fields.

In the language of Chester Thomas "he is the greatest failure of the 19th century."⁹

The Creek Indians were friendly. Their Council on March 6, 1871 passed a bill benefiting the cattlemen. The bill granted the drover the right to graze and herd his stock in any part of the Creek Nation during the cattle season of that year to November 30, gave access to any part of the Nation and also sufficient wood for camping purposes. The drovers were to pay twenty-five cents per head of cattle each month for a license. The Creeks built a new road through their nation. This aided the drovers going to Baxter Springs.¹⁰

It was reported in 1871 that the M. K. and T. Railroad had made arrangements with the different Indian nations, through whose country the trail passed, to let the drovers go free. It was also reported that the Kiowas and Comanches, along the Abilene Trail, were determined to tax the drovers fifty cents a head. The Cherokees were levying a tax of fifty cents a day for driving through their land. It was about a five day drive. The newspaper didn't think this was right as in Michigan, farmers, whose land was worth \$100.00 per acre, were giving the best of clover pasturage for twenty-five cents a week.¹¹

9. Southern Kansas Advance (Chetopa, Kansas), September 7, 1870.

10. Streeter, F. B., Prairie Trails and Cow Towns, 75-76.

11. The Sun (Parsons, Kansas), June 17, 1871.

Many persons in Kansas were eager that the Texas trade continue. The Lawrence Journal, 1874, thought the Indians should be compelled to allow commerce through the Territory without charge. The paper asserted:

Our relations with Texas are daily becoming more and more intimate, and the trade between the two states should be as free from taxation by the Indians as trade between Kansas and Illinois is from taxation by Missouri.¹²

The Kansas City Journal defined the term Indian Agents:

"Agents" are government officers having no defined authority. "Political Agents" are generally understood to grow rich by speculation. "Quaker Agents" were selected on the score of honesty, but are generally fresh from the far East, and are as capable of understanding the real nature of the wily and wily bandits under their charge as so many Tibetan Monks.¹³

The only government worthy of name was located at Van Buren, Arkansas. There were about twenty independent nations in the Indian Territory. They were reported to be in constant warfare and there was no security of life or punishment of crime. The Indians were guilty of a great deal of stealing.¹⁴

The Interior Department finally decided that the Cherokee Indians had a right to tax Texas cattle driven across their reservation, and to seize and hold a herd until the taxes were paid.¹⁵

There was trouble in the Indian Territory in 1875. The Nichita Beacon reported that a band of Indians, Cheyennes or Osages, attacked the cattle camps on Pond Creek. They drove off several horses and stampeded the cattle. The Indians, also, attempted to capture a dog-out belonging to a cattle herder but were repulsed. It seemed as though there would be a "hot time" in the Territory unless troops were brought at once.¹⁶

12. Southern Kansas Advance (Chetopa, Kansas), February 19, 1874.

13. Ibid., July 23, 1874.

14. Ibid.

15. Oswego Independent (Oswego, Kansas), September 19, 1874.

16. Southern Kansas Advance (Chetopa, Kansas), April 29, 1875.

For many years pasturing on the Indian Reservations was forbidden by the Department of the Interior but the drovers pastured regardless.¹⁷ Herders were ordered from the Territory in 1879, unless a tax was paid.) A Baxter Springs newspaper stated:

By order of the Commissioner of Indian Affairs, the officer in command of the troops stationed in the Territory, has ordered all herders from the Territory, unless a tax of ten cents a head per month is paid. The boys, who were herding the town cows, were compelled to drive out Thursday morning. In no other place from Portland, Maine, to the Rio Grand are the people taxed for grazing upon vacant government land. Here is a wild waste land—millions of acres of fine pasture going to waste, no benefit to the Indians, and yet the people along the border are forbidden to even allow a few cattle to graze upon it. To what strata or level of pusillanimity will the Indian Bureau reach in its efforts to convince the people what they already know—that the Indian department is one of the grandest humbugs in this Country, and the heads of the same are egregious asses.¹⁸

The Commander of the troops, Col. Towle, said the order was a mistake as cattle hadn't been ordered from the Territory. The order only excluded cattle from certain bounds around the camp. This was to prevent cattle from drinking the water in a stream that was barely sufficient for the use of the troops.¹⁹)

(Cattlemen who didn't pay their grazing dues were treated rather harshly in some cases.) George Miller had cattle grazing on the Quapaw Strip, about six or seven miles southeast of Baxter Springs for several months. Col. Towle sent word to him to pay his dues, but he was gone to the fair. His herders talked in a saucy manner to the soldiers sent out, and said they weren't responsible for the cattle. When Col. Towle was

17. Dale, E. E., Gow Country, 58.

18. The Times (Baxter Springs, Kansas), June 19, 1879.

19. Ibid., June 26, 1879.

informed of this, he sent Lieutenant Robinson and thirteen men to the ranch. They tore down and burned the corrals, scattered tents and equipment, and let 600 cattle free to roam over the prairies.²⁰

Liquor was a problem in the Indian Territory. There the penalty for giving or selling whiskey to an Indian was a penitentiary offense. In order to combat white men selling liquor to the Indians, Agent Owen issued an order to the Indian police to report drunks. The drunks were to be taken before the grand jury at Ft. Smith, Arkansas to tell where they secured the liquor.²¹ Liquor remained a problem as there were always white men, who were willing to take advantage of the Indians and for an exorbitant profit, sell them whiskey. There were arrests made of white men selling liquor. An example of this was reported by the Baxter Springs paper:

J. C. Naylor and John Fortis of this city were arrested last Saturday and taken before U.S. Commissioner Leroy Neale at Chetopa on the charge of introducing intoxicating liquor into the Indian Territory. John Guthrie of Coffeyville was treated likewise. The three gave bonds of \$500.00 each to appear before his honor for trial July 22nd.....²²

20. The Times (Baxter Springs, Kansas), October 9, 1879.

21. Chetopa Advance (Chetopa, Kansas), November 12, 1885.

22. Baxter Springs News (Baxter Springs, Kansas), June 29, 1889.

Chapter 10

THIEVES AND MURDERERS

(There were many outlaws in the Indian Territory and Southeastern Kansas who preyed on the cattle drovers. Sometimes they were brought to justice in court but more often than not, they would be dealt justice out of court:

In June, 1871 a man on his way to Texas to buy cattle was murdered near Columbus, Cherokee County, by another man. Both men were on horseback. While the murderer was rifling the pockets of his victim, he was seized by some men, who had watched the proceedings from an adjoining field, and was hung on the spot.¹

The Cherokee County Republican, Baxter Springs, November 10, 1876 asserted:

Sunday evening some thieves stole nineteen head of cattle from the slaughter pen of Carruth and West. The day following Mr. Rader lost twelve head in the same manner. The Saturday previous twenty-six head were stolen from Chetopa. It is supposed the stealing was done by one "gang." Mr. West followed them to Joplin where he succeeded in recovering his cattle, but the thieves took advantage of the delay in getting out the necessary papers for their arrest, and "shipped out." It seems there is a regularly organized gang of these scoundrels at work in this vicinity. Farmers should keep their eyes open and "spot" all suspicious characters that come around.

(Many cattle were stolen from Southeastern Kansas and driven into the Territory. In 1877 a number were stolen from S. K. Thomas's corral near Chetopa. He followed them nearly to Vinita, Indian Territory. The thieves fled but the cattle were recovered.²

Incidents similar to this happened near Baxter Springs in 1878 and 1879. In 1879, Mack Coats, and two other men, stole some cattle near

1. Streeter, F. B., Prairie Trails and Cow Towns, 76.

2. Chetopa Herald (Chetopa, Kansas), August 18, 1877.

Gibson Station in the Indian Territory. They brought the cattle up to Baxter Springs and sold them. Authorities from the Territory pursued them. Coats was arrested and jailed but the other two thieves escaped.³

Notorious Jim Barker was a terror to the people along the southern border of Kansas. He was shot, October 14, 1879, while driving a herd of stolen cattle. He stole the cattle in the Indian Territory and started driving them north to Kansas. The Sheriff, of the Northern District of the Cherokee Nation, and his posse followed close on his trail. They sighted him about forty miles south of Chetopa. They didn't care to meet him face to face, so circled him and waited in a brushy ravine to ambush him. When he rode even with them, they charged him. He fought back desperately. Buckshot broke one of his arms but he continued firing with the gun in his other hand. He was finally shot from his horse. The outlaw had a leg broken by buckshot and twelve buckshot wounds on his body. He was taken to Coffeyville, where he died October 16, 1879. He confessed to killing one man in Coffeyville and having been with a group that committed another murder but denied having a hand in the actual killing in the second murder.⁴

Horse stealing was a popular activity with some, whose consciences didn't bother them. In 1872 a white man was arrested in Baxter Springs by Indian Police from the Territory. He had stolen one of their members' horse, saddle, beaded buckskin coat and various other articles. All of the stolen goods was recovered and the thief was taken to the Ottawa Nation for trial.⁵

3. The Times (Baxter Springs, Kansas), November 7, 1878; September 11, 1879.

4. Ibid., October 21, 1879.

5. Baxter Springs Sentinel (Baxter Springs, Kansas), June 22, 1872.

Horse stealing must have been a very common affair in 1873.

The Southern Kansas Advance asserted:

Just now the County seems filled with horse thieves. From every direction we hear of horses being stolen. The Baxter Republican says hardly a day passes that some one is not there in pursuit of horse thieves. A number have been stolen from this part of the county within the last week or two, If the law will not reach these thieving rascals something else ought to.⁶

In 1876, horse stealing was still continuing. The Oklahoma Star stated:

It is thought, and on good grounds, too, that a well organized band of horse-thieves and murders are operating in this Territory; and that their depredations extend from the frontier of Texas into Kansas and Missouri.⁷

Dick Prather, an outlaw who had become notorious by his boldness in stealing, was captured in the Chickasaw Nation by Marshal Clift, of Chetopa, in 1877. Prather denied that he had stolen Dr. Littleton's horse. Dr. Littleton was the physician of Chetopa.⁸

1877 seemed to be an especially bad year for the stealing of horses. A horse thief was surrounded near Cedar Vale, Chautauqua County, Kansas, but he escaped. It was known that this horse thief, Schoennewald, was hiding at Schroder's farm. Deputy Sheriff Riley Crouch, and a posse went to Schroeders with a search warrant. Mrs. Schroder pretended that the man, who was there, was her uncle from Illinois. The posse doubted this and their doubts were soon put to rest. Schoennewald leaped out the door with a double barreled shotgun in his hands. The posse saw that the outlaw was ready for action and as there was only one revolver, among

6. Southern Kansas Advance (Chetopa, Kansas), March 26, 1873.

7. Baxter Springs Republican (Baxter Springs, Kansas), July 13, 1876.

8. Chetopa Herald (Chetopa, Kansas), July 14, 1877.

the whole group, they left on the doublequick. Three days later the posse went back and surrounded the house. Schoennwald proceeded to steal Sheriff Brock's horse and made his get-away. He rode to Fred Bierman's house where W. R. Crouch and John Shoup were on guard. As the outlaw entered the door, Crouch emptied a load of duck and buck shot into him. Schoennwald got out of the house, jumped on his horse and spurred away. He rode to Cherryvale, got supper there and retreated to the country. He hadn't been captured by August 24, and the Cedar Vale Blade printed this about him:

He is five feet and six inches in height, carries a shot gun and two revolvers. Is stoop shouldered, has a sharp nose, keen eye, and dressed in a blouse with a grayish coat.

In September there was more horse stealing. The Arkansas City Traveler reported an incident. Thomas Conkhite stole a horse from W. L. Han's herd. Han pursued him and when he caught sight of Conkhite, fired two shots. Conkhite wouldn't stop so Han spurred his horse on. As he had the faster horse, he soon caught the outlaw. The outlaw begged for mercy so Han brought him to town. Wm. Gay, the city Marshal, put the outlaw in jail and deputized Han to watch him. Han watched until about three o'clock in the morning. During this time Han was getting sleepier and sleepier, and he finally fell asleep. In some way Conkhite then escaped. The outlaw got a ferry across the Arkansas River. He met a man on the other side of the river and persuaded him to try to break his handcuffs. The man couldn't and when he got to town told about the occurrence. A posse then took after Conkhite. The outlaw sought shelter at John Linton's house. He told Mr. Linton that he had been arrested

because he had been drunk. Although Mr. Linton was a crippled man and had to use a crutch in order to walk, he was also a courageous man. He promptly escorted the outlaw to a wagon, made him get in and brought him to town. The outlaw was taken to Winfield and confined in the County jail.¹⁰

The Baxter Springs News, Baxter Springs, Kansas, February 23, 1889 gave an interesting account of house thieves and how Kansas Vigilantes dealt with them:

The depredations of horse-thieves in Southern Kansas was for a time something appalling and kept the whole country alarmed, writes W. B. Holland in the Detroit Free Press. For the past thirty years the Indian Territory has been the rendezvous of many of the worst citizens in the West. Fugitives from Kansas and Texas as well as from the Eastern States, flocked in there, where they were sure to find protection and congenial companions. A man's social standing in this lawless community depended on his readiness with a "gun" and the number and atrocity of crime he had committed. The word "gun" refers to a revolver, but these were of such an enormous size that the term "gun" seemed to suit better.

A residence of a few days with these people would make an agnostic argue the necessity of hell and he could easily show the utility of such a place. While the inhabitants were banded together to resist the law, they had no confidence in each other and no fear of any power, human or divine. They would have been unable to have told Sunday by the aid of an almanac and the entire absence of razors caused their faces to have a heavier hirsute adornment than a bearded woman at a show.

It was an easy matter for one or more of these outlaws to enter Kansas, steal a horse and be back in the Territory before the loss would be discovered. With such facilities for horse stealing at hand, it is no small wonder that the farmers in Southern Kansas living close to the State line were able to keep any horses at all.

The result of so much crime resulted in the formation of "vigilance Committees," the object of which was to cause a suspension of horse-stealing by suspending the thieves. The members of these committees were called "Vigilantes" and the beauty of their method was found in the fact that they never had to punish a man for the second offense.

10. Cedar Vale Blade (Cedar Vale, Kansas), September 7, 1877.

While a great deal of fault may be found with mob law in general, there is no doubt but the vigilantes in Kansas had an elevating effect on the horse thieves.

When a horse was stolen, the neighborhood was notified and men started out in squads of from three to six. They all went into the Territory, each squad selecting its own route. A noticeable part of the outfit of each squad would be a new halter rope of a size sufficient to hold three or four horses and perhaps thirty feet long. Just why such a rope was necessary to hold a pony that at other times was perfectly gentle did not appear, but the rope was taken along at any rate.

In two or three days the squads of vigilantes would begin to return. Finally one squad came in leading the horse that had been stolen. It might also be noticed that while all the other men had brought back the massive halter rope, the squad that brought the horse, brought no rope.

"We found the horse, but the thief got away," the successful men said, apologetically.

"Did you see the thief," some one would ask.

"Yes, we saw him and the last we noticed of him, he was going through the brush," would be the answer, sometimes varied so as to have the man "drown while crossing a river."

The truth was apparently told, but to the farmer, who had been a member of a similar squad, the careless words told of a tragedy and he knew that somewhere in the wild country just south was a corpse hanging to a tree, a note pinned to the bosom and fluttering in the wind. He knew that a soul had been hurried to its Maker; that one desperate man had struggled with others as desperate and determined as himself and had succumbed to the odds against him. He knew also that it was a horse thief that had been hung and that his own animals were so much safer. Conscience was stilled by the thought that it was his duty, a horrible task, but none the less a bounden duty, due to himself, and to his neighbors and to his family.

When starting on such a trip, each man hoped that it would not be his squad that should overtake the solitary man riding the stolen horse. He closed his eyes to shut out the remembrance of the time when he was one of the four, who captured the sullen criminal on the tired and worn out horse. He could still hear the poor fellow beg and plead for mercy which all four were about to grant, until one of them whispered "our oaths," and from that moment the doom of the thief was sealed. He hoped that he would never be a party to such another hideous crime, but he knew that if he caught the thief he would do what his neighbors expected of him and what he expected of them. Dead men tell no tales, and neither does a vigilante, so he knew he was safe from all human law and punishment.

But all this is past and horse-thieves and vigilantes are almost unknown in Kansas. The Missouri Pacific and Santa Fe railways each cross the Indian Territory and it is no longer a den of criminals. The pioneer farmer of Kansas speaks of

the vigilantes with a far-away air as though dimly remembering something of them and their ways.

The scattering trees that have borne such horrid fruit are still there and may be known by their name and local tradition. "Dead Man's Tree" at the head of "Horse Thief Gulch," is a well-known place in the territory of the Arkansas River. Years ago when going from Wichita on the stage, its horses would be changed at a station known as "Three on a Limb," but the railroads have done away with the stage just as civilization has ended the necessity for vigilance committees.

Life was not held in high regard during the trail driving days.

The Southern Kansas Advance, Chetopa, Kansas, January 15, 1873 asserted:

The murder business has been lively during the winter, in the towns along the Southern border of Kansas. Promiscuous shooting is quite a common amusement at Coffeyville, Chetopa, and Baxter. The ease and certainty with which all grades of murders are acquitted in our courts are very encouraging to the whole murdering crew. There is nothing to intimidate men from the commission of crime. The mere boys are in the habit of carrying weapons..... In Baxter about one funeral a day is the effect of this vicious habit of carrying arms. In our other frontier towns it is little better.

In 1877 there was a gang of desperadoes, horse and cattle thieves, operating in Texas, Indian Territory and Kansas. This gang operated from Coffeyville, Kansas to Fort Worth, Texas. Tens of thousands of dollars worth of stock were stolen from Texas. One of the most notorious and reckless of the gang was Bill Posey. He was always armed "with a long Spanish knife and three six-shooting revolvers in his belt, and a double barreled Henry rifle loaded with buckshot." He was a very dangerous man and the law officers were afraid of him. The sheriffs in Muskogee and Okmulgee were afraid to arrest him, even when they had him outnumbered three to one. Captain Sun-thar-pee, one of the law officers in the Creek Nation, and two men set out to capture him in the Indian Nation. When they tried to arrest him, a vicious gun battle started. A load of buckshot broke Posey's right arm. That didn't stop him as he kept on firing with the gun in his left hand until that hand

was broken by a charge of buckshot. Still the outlaw wouldn't stop. Now unable to shoot any longer, he charged on horseback at Captain Sun-thar-pee and knocked him down. He then tried to ride the other two men down. One of the men shot off the outlaws nose but their revolvers were almost empty. It looked as though Posey would escape until the Captain fired his last shot. This bullet struck the outlaw in the jaw and crashed upward into his brain killing him.¹¹

Not only were outlaws killed and captured but there were tales told about killing different men that weren't true. In 1879 George Sheppard, an amateur detective, reported that he had killed Jesse James six miles southeast of Galena, Kansas. This killing was supposed to have taken place October 31. Sheppard claimed to be a friend of the James and Younger boys. He was traveling with Jesse James and his gang and had planned to lead them into an ambush, but his plans miscarried. Sheppard drew his revolver and shot Jesse through the head. The gang took after him and he fled to Baxter Springs for safety. He told his story in town and search parties were organized to find Jesse's body. Needless to say his body wasn't to be found.¹² Jesse was to be killed later by another man.

Wild times were still existent in 1884. The Chetopa Advance, Chetopa, Kansas, November 20, 1884 alarmingly stated:

Have we no law in this country against the hoodlum element, that come in from the Territory and make night hideous with their yells and shooting of revolvers. The night of the circus last week not less than twenty or thirty shots were fired by a crowd of roughs as they left town, and the same crowd

11. Chetopa Herald (Chetopa, Kansas), July 7, 1877.

12. The Times (Baxter Springs, Kansas), November 6, 1879.

went out of town the next day galloping at full speed, and shooting and endangering the lives of our people.

In 1886 Sam Sixkiller, a very able police officer in the Territory, was killed:

Last Friday, the day before Christmas, there was a horse race at Muskogee, and as usual at such places, there congregated a number of the worst characters in the country. A great deal of whiskey, in some covert manner, had been run in and before evening many of the hoodlums were howling drunk. In the early afternoon one Alf. Cunningham, a Cherokee, and Tom Kennard, a colored man, had a dispute after which Cunningham looked up his brother-in-law Dick Vann, a notorious desperado, and the two determined on revenge. About six o'clock Vann and Cunningham met Capt. Sam Sixkiller, Chief of Police, and without a word riddled him with bullets, killing him instantly. Both men then ran down the street and hastily mounting their horses left town. Capt. Sixkiller was one of the bravest of men, and as an officer in attempting to make arrests, he is reported to have killed seven men, among whom was the notorious Dick Glass. He has been the main-stay in suppressing lawlessness throughout the Territory, and hence his death will be sadly felt by law-abiding people all over the Territory.¹³

The two murderers, Vann and Cunningham, were still at large January 6, 1887. They were reported to be within two miles of Tahlequah, Indian Territory, where they sent in for cartridges. United States Judge Parker, of Fort Smith, Arkansas, said that the Creek Nation had jurisdiction in the case. The Creeks had offered a \$1,500 reward for the two killers.¹⁴

Many outlaws stayed in the Indian Territory and were a menace to the surrounding states and to the cattle trade. Many people thought that opening this territory for white settlement would do away with the outlaw element. One person in favor of opening the Territory asserted:

At present the Indian Nation is a harbor for horse thieves, outlaws and desperadoes. It is fast filling up with a class of men, who will not only prove a terror to the Indian

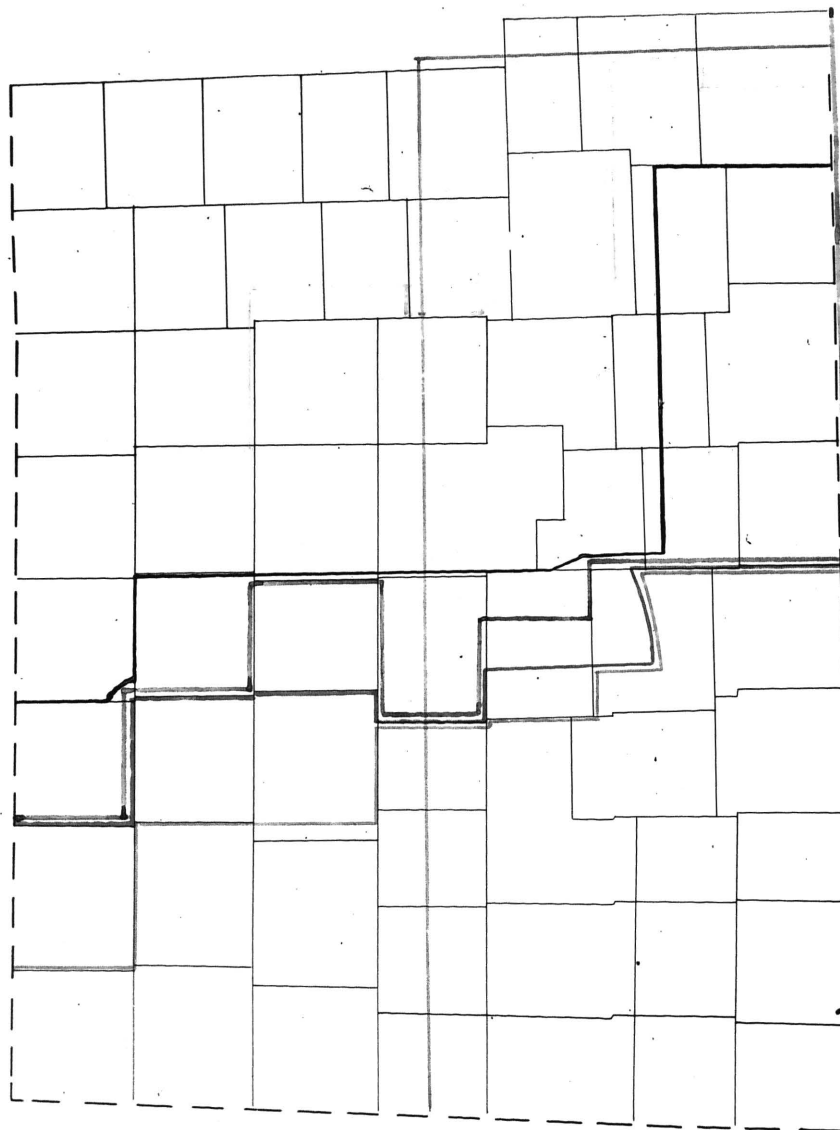
13. Chetopa Advance (Chetopa, Kansas), December 30, 1886.

14. Ibid., January 6, 1887.

Nation, but to the adjoining states. No law can touch them and they will soon have control of the Indian government and make of that beautiful land an eyesore to the nation.¹⁵

15. Baxter Springs News (Baxter Springs, Kansas), January 14, 1888.

TEXAS FEVER QUARANTINE LINES



1861 —
 1867 —
 1872 —
 1876 —
 1877 —
 1879 —
 1883 —

Chapter 11

TEXAS FEVER LAWS

One of the greatest difficulties, that was to continue during the trail driving days, was the Texas or Spanish Fever laws. Cattle coming from the South into the North spread Texas Fever. Native cattle caught it and many died. Ralph P. Bisber states:

In 1858 and afterward Texas fever broke out in Kansas.¹ The result was that February 1, 1859, the Territorial Legislature of Kansas passed an act prohibiting the driving of cattle, infected with Texas fever, into or through Kansas. Cattle from Texas, Arkansas, or the Indian Territory south of Kansas couldn't be driven into or through the counties of Bourbon, Linn, Lykins and Johnson between June 1, and November 1, of each year.² Lykins is the present county of Miami. This act was violated in 1859-60 and cattle were driven into Kansas. Thousands of Kansas cattle died with Texas fever. Farmers in Linn, Bourbon, Leavenworth, Allen and other counties organized and passed resolutions against stock passing through. Many bloody encounters between farmers and Texas drovers were narrowly averted.³

May 1, 1861 the Kansas Legislature passed an act stating:

No person or persons shall be allowed to drive or cause to be driven, into or through the State of Kansas, any drove or

-
1. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 37.
 2. General Laws of the Territory of Kansas, 1859, 621-622.
 3. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 37.

droves of cattle from the States of Texas, Arkansas or the Indian territory lying south of the State of Kansas, between the first day of April and November in each year,.....⁴

February 11, 1865, the Legislature passed an act that prohibited anyone except immigrants to drive cattle from Texas and the Indian Territory.⁵

The year 1866 found Texans ready to drive cattle north. The Kansas legislature February 16, 1866 repealed the law of February 11, 1865 relating to the driving in of stock but the law of May 1, 1861 was still in effect prohibiting the driving of cattle into the state between April 1 and November 1.⁶ The Texans were to find that 1866 was to be a difficult year to market cattle.

After the long hard drive in 1866, the drovers were stopped on the Kansas border. The wounds of war weren't yet closed and many Kansas abolitionists didn't care to let Texas cattle pass. Kansas farmers remembered Texas fever before the war and sought to keep out the drovers. Many Kansas farmers were poor and had only two or three cows. If the cows died from fever, it would deprive the farmer's family of milk and butter. So, they were naturally opposed to the cattle passing through. Armed bands of farmers came out to stop the Texans and killed small herds of Texas cattle. They looked on a person bringing in cattle during warm weather as no better than a horse thief.⁷ Many lawless people roamed eastern Kansas molesting southern drovers and stealing their cattle

4. Laws of the State of Kansas, 1861, 279-281.

5. Ibid., 1865, 159-160.

6. Ibid., 1866, 248.

7. Dale, E. E., Cow Country, 26-30.

under pretense of keeping Texas fever out of Kansas.⁸ As in any question, there were two sides to the question of driving in Texas cattle. There was tolerance and intolerance on both sides.

However, all of the drovers didn't wait until November to drive in their cattle. The result was the spread of Texas fever. The Olathe Mirror, Olathe, Kansas, August 9, 1866 asserted:

The repeal of the law which prevented the driving of Texan cattle through the state was a great outrage and is producing its legitimate results. The Spanish fever has become seated in several Townships, and is creating a havoc among the fine stock of our farms. There are daily reports of cattle dying. Mr. Thomas James reports he has lost from 100 to 125 head.

Many drovers waited in the Indian Territory until November but their cattle were sold at a loss. Many drovers didn't wait until November but turned west and drove through the unoccupied part of Kansas, across the corner of Nebraska to Iowa or in some cases to St. Joseph, Missouri, where cattle could be shipped to Chicago.⁹ The close of 1866 left the business of driving Texas cattle in a bad shape.¹⁰

The Olathe Mirror, Olathe, Kansas, December 6, 1866, reported a meeting of stockmen at Olathe. The motions adopted by the stockmen were:

Whereas, The experience of every farmer and stock grower in Southern Kansas teaches him that security and safety of his domestic cattle depends upon his ability to keep out Southern or Texas cattle, and

Whereas, Observation has abundantly proven that ordinarily there is as much danger from that class of cattle in the month of November as October, and

8. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 47-49. .

9. Dale, E. E., Cow Country, 30.

10. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 109.

Whereas, The raising of cattle can never be made a success in Kansas as long as cattle are permitted to be driven into the state which spread contagion wherever they go; therefore

Resolved, That we are opposed to the introduction of any cattle from the states of Texas, Arkansas, or the Indian Territory lying south of the State of Kansas, between the first day of March and January of each year.

Resolved, That our Representatives and Senators in the Legislature be requested to use every effort to so amend the Act of May 1st, 1861, as to exclude the class of stock above named from being driven into the State between the first day of March and January of each year.

Resolved, That any and all persons who drive, or attempt to drive into the State of Kansas, any of the class of cattle above named within the limits of time above specified, should be considered as an enemy to the best interest of the people of this County, and that we will use every effort for the protection of our stock from "Spanish fever" until such time as it is absolutely certain that no danger will result from the introduction of Southern Cattle.

The cause of Texas fever wasn't known at first. During hot weather on the trail cattle "slobber" a great deal from the mouth. It was thought this caused Texas fever by native cattle eating the grass that had been slobbered on. It was thought to be dangerous to let native cattle graze on grass after a herd of southern cattle had passed until rain washed the "slobber" off the grass.¹¹

Kansas passed an act February 26, 1867, that repealed certain sections of the law of 1861. The new act prohibited the driving of Texas or Indian cattle into Kansas between March 1 and December 1, except into the southwestern part of Kansas, west of the sixth principal meridian and south of township 18.¹² This line ran from the south line of Kansas north to about sixteen miles east of McPherson and then turned west, passing a few miles north of McPherson, to the Colorado state line.¹³

11. Burton, H. T., A History of the J. A. Ranch, 90.

12. Laws of the State of Kansas, 1867, 263-267.

13. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 51.

However, an individual or a company could select a route from this quarantine zone to a place on the Union Pacific Railroad, Eastern Division, "west of the first guide meridian west from the sixth principal meridian" and north of township 19, where Texas cattle could be driven any time of the year. The route couldn't be within five miles of a farmer without his written consent, the cattle couldn't be driven along a public highway and once on the railroad couldn't be unloaded until they were out of the state.¹⁴

There continued to be trouble about Texas or Spanish fever. In 1868 a certain class of farmers armed themselves and threatened to destroy the drover's cattle unless they received money. If the drover paid money, he was permitted to drive on with his herd until presently he would reach another "black mail" station. In Missouri, 1867, one man paid \$800.00 in this manner and another man paid \$1,200.00. Some people were making a considerable amount of money from the drovers by this method of "black mail."¹⁵

Southeastern Kansas was especially interested in the Texas fever problem in 1869. The Chetopa Advance, Chetopa, Kansas, April 7, 1869 reported that every day more Texas cattle were brought into that locality. The cattle couldn't be shipped until December 1, but could be pastured without expense until market time. This paper asserted:

All along the line from here to Ottawa, we find intense excitement on the Texas cattle question. About Ottawa, nearly 200 head of cattle have died of Spanish Fever. The remedy lies in the rigid enforcement of the law which we believe to

14. Laws of the State of Kansas, 1867, 263-267.

15. James Harway Scrap Book, II, Topeka, Kansas State Historical Society, 121.

be right and just. There is no doubt that in some instances the law has been evaded and that cattle have been driven in during the time prohibited by law. The law itself provides for the punishment of such infractions without resort to mob law or violence which is always to be deprecated.¹⁶

Many of the cattlemen waited until the proper time. The Chetopa Advance, Chetopa, Kansas, December 1, 1869 stated:

From this day until March 1st the law permits Texas cattle to be driven into Kansas. Already the vast army of bovines in this vicinity is in motion and there is "hurrying to and fro." As we write several large droves can be seen from our window.

In 1869 an important case was decided at Belleville, Illinois. A man named Thornbury was indicted for keeping Texas cattle in Illinois. Court action was brought to test the constitutionality of a state law which prohibited keeping Texas cattle. The court decided that the law didn't hold good and that a person had the right to keep Texas cattle in Illinois.¹⁷

A Texan's attitude in regard to the quarantine might be gained from a letter to the editor of the Chetopa Advance. The Texan asserts:

Almost every paper and a large majority of the people of Kansas are opposed to the introduction of Texas Cattle, alleging as a reason that native cattle are killed or contract a fatal disease. Resolutions passed in various parts of the state against it state that force will be used to stop drovers. This is either right or wrong. We live in a free country. Rights are guaranteed by the Constitution. If we live in a land of free trade—a land of liberty every man has the right to take his property wherever he goes.A law might be passed to recover damage, but to say that no one shall drive his stock into the State is taking away the liberty of that person.

Now I do not wish to quarrel with anyone, but it is a well-known fact that an extensive trade is being carried on with Texas in the cow business, and if it is damaging to the people of Kansas, to have this trade kept up, let everyone

16. Chetopa Advance (Chetopa, Kansas), September 22, 1869.

17. Ibid.

stop driving and notify drovers not to bring their cattle to a market that is shut down and blockaded two thirds of the year. I see from an advertisement in your paper that Chetopa is to be the center of the Texas cattle trade. Now, without the aid of spectacles, let us look at the prospects of this trade and the inducements held out to drovers. A herd is started from Texas and in passing through the Indian Territory taxes must be paid for crossing toll bridges and driving through their territory, and when the herd arrives at the line, it must herd in the Cherokee Nation, pay a tax of ten cents a week per head for grazing. Here the drover is compelled to let the tax eat up the profits, or sell to a speculator at low figures, sometimes not sufficient to cover cost and expenses. This I have seen since I came to this country, and having driven cattle here myself, and experienced with others the difficulty to be encountered by drovers.

This present fall the prairies have been fired to drive out the cattle from the Nation. "Burn them out" say the Indians. On the side of Kansas stand men ready to buy at low prices, or show you the danger of driving your cattle across the line. Some are ready to prosecute you if you should dare to ship your stock in or across the line. Now I will say this, that I am an old Texan, having lived in that State over 30 years. I came here to engage in the stock trade for the benefit of myself and others who wished to send cattle to this market, and after a stay of nearly four months, watching the corners, my experience teaches me that a man is a fool to drive Texas cattle to this market while the present laws and restrictions are in force. With this conviction I return to Texas, where I shall use my influence to stop this trade until the way is opened. Texas has a large number of cattle, and trade might be kept up which would be profitable to both states if some of the difficulties were removed. In the butcher shops of Chetopa a beef sells as high as twelve cents per pound. In Texas four cents is the highest price, and often at two and one-half cents. The people of Kansas will join with me in trying to stop this trade, or else open a free track and give every man equal rights and privileges.¹⁸

The editor replied to the letter. He commented on the fact that it seemed difficult for the trade to be restricted but it was more difficult for the farmer to lose his entire herd of native cattle. The editor admitted the fact that Kansans would have to pay higher prices for beef if it weren't for Texas cattle. The people of Kansas shouldn't engage in shooting cattle, firing prairies and such practices. The editor

18. Chetopa Advance (Chetopa, Kansas), December 1, 1869.

stated the latest theory in regard to the fever:

The latest theory in regard to Spanish cattle fever is that it is communicated, not through the air or even by contact with the breath of Texas cattle, which, it is said, do not have the fever themselves at all, but the cattle in consequence of hard driving contract sore feet, their hoofs becoming ulcerated, and the poisonous matter which is rubbed off on the grass of the prairie where they travel, is taken into the stomachs of the native cattle that go there to graze, and fever and death is the consequence.¹⁹

In 1871 one stockman told of a remedy that might aid in keeping down Texas fever. The remedy was to furnish the cattle with wholesome water twice daily and a daily allowance of wholesome food.²⁰ In August of that year several cases of Spanish fever were reported in the vicinity of Parsons, Kansas. One farmer reported a different remedy for Spanish fever. He claimed that he cured one of his cows that had the fever. The manner in which he did this was to rub turpentine along her back twice daily and on the first morning he gave the cow three table-spoons full of sulphur and one tea-spoon full of salt petre. The next day the same treatment was continued and at night the cow was given an additional quarter of a pound of salts. Condition powders were also given the cow. In ten days she was able to be turned out with the rest of the cows.²¹ By August 12 a good many cattle had died in the vicinity of Parsons²² but by August 26 it seemed that Texas fever had somewhat abated.²³ The Parsons newspaper, The Sun, September 23, 1871 reported

19. Chetopa Advance (Chetopa, Kansas), December 1, 1869.

20. Oswego Register (Oswego, Kansas), June 30, 1871.

21. The Sun (Parsons, Kansas), August 5, 1871.

22. Ibid., August 12, 1871.

23. Ibid., August 26, 1871.

that many cattle had died from Spanish fever that season and many stock growers were discouraged and were thinking of going into other branches of agriculture. This paper September 30, 1871 printed an item from the Neodesha Citizen reporting that on one train thirty-nine out of forty-seven head of cattle died. One farmer living by the Neosho River lost his entire herd of cattle from the fever.

A meeting was held in the dining room of the Wiggins House, Baxter Springs, December 1, 1871 concerning Texas fever. The meeting was called to order by Dr. W. M. Robison of Lexington, Missouri, who stated that the meeting had been called to seek modification or repeal of the law prohibiting the driving of Texas or Cherokee cattle. A Committee of Seven, composed of members from Missouri and Kansas, was selected to draw up resolutions. The resolutions that were reported and adopted were:

Whereas, the laws now in force in the states of Missouri and Kansas, prohibiting the introduction of Texas and Indian cattle therein before the first day of December in each and every year, is unwise and unjust alike both to the buyer and seller, the producer and consumer and tends only to benefit the associated capital.

and Whereas, the prairie fires first and cold weather exhausts the ranges and causes immense suffering and loss of life to the stock.

and Whereas, the season at which the supposed disease called Spanish fever predominates is long since passed by the cold weather preceding the heating of cattle, which is supposed to be the main cause of the disease.

and Whereas, a great change has taken place in the public sentiment in regard to the lateness of the present prohibition.

Therefore be it Resolved, That the Representatives of both Houses of the Legislatures of the States of Missouri and Kansas are respectfully requested to use their utmost endeavor to secure repeal of the laws prohibiting the introduction into their States at certain periods of the year, cattle from the Indian Territory and the State of Texas.²⁴

The stockmen at this meeting were interested in getting newspaper editors to print the resolutions. They also felt that if Texas fever did exist it wasn't contagious or would result in death after the fifteenth day of October.²⁵

The Kansas legislature March 2, 1872 set up a new quarantine line. This line started from the south boundary of Kansas a few miles west of the line of 1867 and extended north to the southern boundary of Sedgwick County, then turned and ran west to the old line, extending north along it to the Arkansas River, then up the river to the fifth parallel, then west on that parallel to the first guide meridian west, then north to the Arkansas River and followed the river to the west line of Rice County. The line then extended up the west line of Rice County, through parts of Ellsworth and Lincoln Counties, turning west in Lincoln County and running along the south line of Osborne County and then up the west line of Osborne and Smith Counties to the north boundary line of the state.²⁶ Cattle could be kept west of this line throughout the year.

The Parsons newspaper, The Sun, May 25, 1872 commented on the cattle law at that time. The law prevented Texas cattle from being brought into the State before December 1. Many dealers thought that cattle could be brought in a month or so sooner. There would be no danger from the disease, cattle could be wintered more successfully and be ready for market earlier in the spring. The paper felt that farmers should be interested in this because the wintering of 10,000 cattle in Labette County would enable the farmers to sell their corn for fifty per cent more than they were receiving.

25. Cherokee Sentinel (Baxter Springs, Kansas), December 8, 1871.

26. Laws of the State of Kansas, 1872, 387-391.

The Chetopa newspaper, the Southern Kansas Advance, August 21, 1872 felt that the Texas cattle law was unnecessary and injurious. The railroads had progressed so much that it was no longer necessary to drive through the County as the cattle could be shipped and not driven. The Parsons newspaper, The Sun, August 3, 1872 was pleased that the Chetopa paper wanted the repeal of the Texas cattle law, at least for Labette County. The Sun was in favor of bringing in cattle the first part of August and letting them graze until late fall. Then the cattle would be in good condition for winter and the farmers could sell corn all winter to the drovers.

Apparently the legislature of the state realized the feeling of the people of Labette County, as March 6, 1873 an act was passed that provided for a portion of Labette County to be exempt from the act of 1867 and all amending acts. Cattle could be driven into this exempted ground and shipped any time of the year. The portion of ground set off was a few miles east, north and south of Chetopa to the state line, so Chetopa was to benefit mainly from this act.²⁷

March 3, 1876 a new quarantine line was drawn up. This line ran along the west line of Sumner County, on up the east line of Kingman County, then turned west through the north part of Kingman County, extended nearly through the middle of Pratt County through Kiowa County and then turned north along the west lines of Kiowa, Edwards, Pawnee, Rush, Ellis, and Rooks Counties; then turned west along the south line of Norton County, turning north along the west line of Norton County to the state line.²⁸

27. Laws of the State of Kansas, 1873, 263-264.

28. Ibid., 1876, 316.

John F. Hill read a short history of Pleasant Valley, Labette County at Oswego, Kansas July 4, 1876. He stated:

In this year quite an excitement existed in regard to the importation of Texas cattle into the Valley. Great quantities of native stock had died from the Spanish fever engendered to them by coming in contact with these long horns. Societies for the protection of their stock were organized. Several herds in attempting to pass through were headed off and driven back to the Nation. Lynch law was talked of, and threats ran rampant for a while.²⁹

February 17, 1877, the quarantine line for the state of Kansas was moved farther west. New counties enclosed by the line were Decatur, Graham, Ness, Comanche, Barber, Harper and parts of Kingman, Kiowa, Pratt and Hodgeman Counties.³⁰

March 12, 1879, the quarantine line was changed. Other counties enclosed were Trego, and portions of Hodgeman and Ford Counties.³¹

March 7, 1883, the quarantine line was changed for the last time. Counties included by this line were the counties of Rawlins, Sheridan, Hodgeman, portions of Ford and Gove.³²

The setting up of the various quarantine lines didn't entirely stop Texas fever in Southeastern Kansas. Cases of fever were reported in 1875,³³ 1877,³⁴ 1879³⁵ and 1883.³⁶

29. Chetopa Herald (Chetopa, Kansas), July 8, 1876.

30. Laws of the State of Kansas, 1877, 241-242.

31. Ibid., 1879, 345-346.

32. Ibid., 1883, 218-219.

33. The Sun (Parsons, Kansas), October 16, 1876.

34. Cedar Vale Blade (Cedar Vale, Kansas), September 28, 1877.

35. The Times (Baxter Springs, Kansas), August 14, 1879.

36. Chetopa Advance (Chetopa, Kansas), September 13, 1883.

A special session of the Kansas legislature was called in March 1884, because a disease known as the foot-and-mouth disease was attacking cattle in Southeast Kansas and local authorities couldn't seem to stamp it out. The result of this session was an act was passed March 24, providing that the Governor appoint a Livestock Sanitary Commission of three members and a State Veterinarian. The duties of the Commission were to protect the health of domestic animals. They were empowered to establish rules, quarantines and have animals killed when necessary. The Veterinarian, when directed by the Commission, was to investigate contagious diseases among domestic animals. This act provided for payment to the owner for animals condemned and killed, instructed railway companies to cleanse and disinfect their cars, and instructed owners of stock yards to employ livestock inspectors. This act didn't apply to cattle affected by Texas fever but authorized the Commission to cooperate with the federal government in suppressing contagious diseases among domestic animals.³⁷

The farmers were alarmed about Texas fever in 1884:

Some of the farmers east of the river have posted notices forbidding persons driving in cattle from Arkansas and Texas, during the time specified by law, which is from April first to November first. It is best to be on the lookout for Texas fever during the summer months.³⁸

The Baxter Springs News, Baxter Springs, August 16, 1884, printed an item regarding the State Veterinarian:

State Veterinary surgeon Holcombe says that Texas fever is dangerous only to native cattle, and is spread by the Texas animals wherever they may go. Native cattle do not communicate the disease. The fatality is always great. Treatment

37. Laws of the State of Kansas(Special Session), 1884, 3-18.

38. Baxter Springs News (Baxter Springs, Kansas), May 17, 1884.

consists in keeping the infected herd on a large pasture so that they may have exercise and may not be crowded; constipation being present, the bowels should be opened with Epsom salts, followed by one to three—drachm doses of carbolic acid repeated every six or eight hours. The acid should be diluted with two ounces of oil and given as a drench. Disinfectants should be freely used around the sick.

There were reported cases of Texas fever in the Indian Territory in 1884.³⁹

The National government tried to do something regarding Texas fever so:

....an act looking to the regulation of the Texas cattle drive was passed by Congress in the spring of 1884 and its enforcement given to the Agricultural Department. But it was slow in getting to work, and it was not until the spring of 1889 that a danger line was completed and its requirements enforced.⁴⁰

The Livestock Sanitary Commission reported in 1884 that because of a rise in the number of Texas fever cases, the laws relating to Texas fever should be repealed and a new act should be passed prohibiting the bringing in, of any cattle capable of communicating this disease, between March first and December first.⁴¹

March 7, 1885, the Kansas legislature responded and passed an act making it unlawful to drive Texas cattle into or through the state between March first and December first.⁴² At last there was no need for quarantine laws, the drovers had been stopped.

The Livestock Sanitary Commission reported in 1885 that an agent had been stationed in Seward County on the south line of the state at a

39. Chetopa Advance (Chetopa, Kansas), August 21, 1884.

40. Powell, Cuthbert, Twenty Years of Kansas City's Livestock Trade and Traders, 124.

41. Livestock Sanitary Commission (First Annual Report), 1884, 8-42.

42. Laws of the State of Kansas, 1885, 308-311.

point where cattle might enter, there hadn't been a single case of Texas fever in 1885 except where animals had been exposed before entering the state and that 126 animals valued at \$3,410.00 had been lost. Of these 126 animals lost, 100 of them were in Cherokee County.⁴³

The Commission was empowered to set by quarantine lines and did so. The Baxter Springs News, Baxter Springs, July 17, 1886 reported:

J. H. Hamilton, of Wellington, Kansas, chairman of the state sanitary Commission, and also candidate for state treasurer on the Republican ticket, was in Baxter this week establishing a quarantine against Texas and Arkansas cattle. The quarantine line begins with the north line of Arkansas, extending due west on this line to Hopkins, in the Indian Territory, thence south to Poland on the Red river, thence west on the thirty-fourth parallel through Texas and New Mexico. Cattle south of east of this line cannot be admitted into Kansas by shipment or otherwise. They may be shipped entirely through the state without stop over. All cattle in the territory north of this line must be fully identified and an affidavit made by two responsible men that the cattle are in good health and have not been south of this range in the last four months. The cattle thus certified to must be examined by the inspector, who will see that the quarantine is rigidly enforced. Joe Holloman, of Baxter, has been appointed inspector for this district.

The quarantine is made necessary by the fact that Texas fever exists at points along the north line of the territory, and as a shipment or two of diseased cattle was made a few months ago, creating havoc in the stock yards and cities, it is the purpose to preclude the possibility of a recurrence of such work.

The Livestock Sanitary Commission reported in 1886 that on May 15, a herd of cattle had been quarantined in Chase County and had been branded with a T on the hip, inspectors had been stationed at Baxter Springs and Coffeyville and railroads weren't allowed to ship cattle until December first unless the cattle were accompanied by a certificate. Daniel Wells was appointed inspector at Coffeyville and received fifty

43. Livestock Sanitary Commission (Second Annual Report), 1885, 12-33.

dollars a month. Holloman at Baxter Springs received seventy-five dollars a month. It was believed that losses from Texas fever wouldn't quite reach \$5,000.00.⁴⁴

In 1887 there were a number of cases of Texas fever in the Indian Territory. There were a number of cases reported by July 7,⁴⁵ by July 14 more cattle were dying and the disease was reported in the vicinity of Oswego, Kansas,⁴⁶ but by August 17 Texas fever had about ceased and there had been no further reports of cattle dying.⁴⁷

The Livestock Sanitary Commission in 1888 issued a report for 1887 and 1888. There were 1,436 car loads of cattle received at the Kansas City stockyards from March 1, 1888 to November 28, 1888, that were considered potential Texas fever carriers. One hundred and twenty-three of these cars had been billed from stations on the southern border of Kansas. Albert Dean was appointed inspector at Arkansas City for some time but had been transferred to Kansas City.⁴⁸

July 3, 1889, United States Secretary of Agriculture, Husk, sent a circular of instructions to all railroads and transportation companies in the United States. This circular set up a quarantine line against Texas fever. The country quarantined was all country south and west of a line commencing at the northwesterly corner of the county of Crittenden, in the State of Arkansas, thence running in a northwesterly direction to the Osage Agency in the Indian Territory and then running southwesterly to the Rio Grande River at the intersection of the south-

44. Livestock Sanitary Commission (Third Annual Report), 1886, 7-33.

45. Chetopa Advance (Chetopa, Kansas), July 7, 1887.

46. Ibid., July 14, 1887.

47. Ibid., August 17, 1887.

48. Livestock Sanitary Commission (First Biennial Report), 1887-1888, 4-21.

easterly corner of Pecos County, and northeasterly corner of Presidio County in Texas. No cattle were to be transported north and west across this line unless they were put in quarantine pens when unloaded across the line for feeding purposes. The railroad cars and cattle pens were to be disinfected. Secretary Rusk was empowered to do this under Section seven of an act of Congress, approved May 19, 1884. This act provided for the prevention of contagious diseases among domestic cattle.⁴⁹

August 9, 1889 cattle were dying in Southeast Kansas. Governor Humphrey of Kansas wrote to Secretary Rusk and pointed out the danger of letting diseased cattle from Texas and the Indian Territory pass through Kansas. Governor Humphrey reported that fever in the Cherokee Strip and Kansas had resulted in the loss of \$1,000,000.00 worth of stock.⁵⁰

In 1890 the Livestock Sanitary Commission issued its Second Biennial Report. The state hadn't appropriated money to pay the stock inspectors so they were paid by the Railway Companies in 1888, 1889, and 1890. The Commission felt that inspectors appointed by the National government would have more power. The state had inspectors at Chetopa, Coffeyville, Arkansas City and Caldwell.⁵¹

According to Dr. James C. Malin, effective control of Texas fever was all but impossible prior to 1893. Dr. Malin asserts:

The fever was identified in 1889 as a blood disease caused by an intra corpuscular parasite of the protozoan order, which caused a break down of corpuscles on so large a scale as to clog the organs of elimination. The cattle tick was suspected of serving as the transmitting agent and experimental work proved the point, the announcement of the results being

49. Baxter Springs News (Baxter Springs, Kansas), July 13, 1889.

50. Chetopa Advance (Chetopa, Kansas), August 9, 1889.

51. Livestock Sanitary Commission (Second Biennial Report), 1889-1890, 3-9.

published in 1893. The federal quarantine line established in 1890 became the basis of cooperative federal-state action in segregating tick-free cattle and controlling the disease when it appeared in northern pastures.One phase of control work begun in 1892 was to inoculate susceptible cattle, later Southern cattle were dipped to free them of ticks, and lastly efforts were centered after the turn of the century in freeing the Southern land of tick infestation.⁵²

52. Malin, James C., An Introduction to the History of the Bluestem-Pasture Region of Kansas, 15-16.

Chapter 12

THE HERD LAW

The herd law was to cause considerable trouble between Kansans and Texans. The Texans believed in the doctrine of "free grass," that is fields were to be fenced and livestock be permitted to run at large.¹ During the early trail driving period the farmers enclosed their fields or "herd(ed) their growing crops against depredations of livestock."² Settlers, who came later were interested in forcing the stockmen to fence or herd their animals. This resulted in a disagreement with "old settlers," who had enclosed their fields and whose fences would be worthless, as they would have to fence in their animals instead of their crops.

An example of the disagreement among the farmers themselves occurred in Cherokee County. The County Commissioners February 27, 1864 approved an act to keep livestock enclosed at night. July 6, 1868 a petition to repeal this act was presented, thus bringing out the disagreement among farmers regarding enclosure of stock.³

In 1868 the fence law made it necessary that farmers fence livestock out of their fields.⁴ In 1870 a meeting was held by citizens of Labette Township, Labette County, advocating enclosure of stock or else stock must be accompanied by a herder. If stock damaged another person's crop, the animal could be held until damages were paid. The people of

1. Dale, E. E., Cow Country, 36.

2. Malin, James C., Winter Wheat in the Golden Belt of Kansas, 28.

3. Cherokee County, County Commissioners Journal, Columbus, Kansas, 1868, 25.

4. Malin, James C., Winter Wheat in the Golden Belt of Kansas, 31.

Labette township advised the people of other townships:

Persons residing out of said township are requested to keep their stock out of said township, as they will find it to their advantage to do so.⁵

The herd law of the State of Kansas, 1871, applied only to enumerated counties.⁶ Cherokee, Montgomery and Labette Counties were not among the enumerated counties but the herd law that was passed in 1872 applied to these counties.

The Kansas legislature February 24, 1872, passed an act giving the Commissioners of each county the right to order what animals were to be allowed to run at large. Animals that trespassed were to be taken into custody. The animals couldn't be retained more than five days unless action had been commenced against the owner for damages. The problem of the herd law was thus left to each County.⁷

The County Commissioners of Labette County passed an act March 19, 1872, prohibiting cattle and horses from running at large. The act was to go into effect at twelve o'clock noon, April 23, 1872.⁸ This meant there would be a change from the farmer having to enclose his stock and "...the stockmen must fence the animals in or herd them, becoming liable for all damage done to fields irrespective of fences."⁹ This was the beginning of difficulties among the farmers as the fences enclosing the crops were now worthless to the farmer putting them up.

5. Southern Kansas Advance (Chetopa, Kansas), February 16, 1870.

6. Malin, James C., Winter Wheat in the Golden Belt of Kansas, 31.

7. Laws of the State of Kansas, 1872, 384-385.

8. The Sun (Parsons, Kansas), March 30, 1872; Southern Kansas Advance, (Chetopa, Kansas), April 3, 1872.

9. Malin, James C., Winter Wheat in the Golden Belt of Kansas, 31.

He would have to build new fences to enclose his cattle. The newer settler did not have to enclose his fields while the stockmen had to fence in large acreages of pasture for their cattle. Thus, the "old settlers" and stockmen were thrown together regarding the herd law.

In Montgomery County there was some opposition to the herd law. The Coffeyville newspaper, the Coffeyville Courier, felt that the farmers should fence what they had in cultivation. Abolishing the herd law would cause more cattle to be driven into the county and the price of corn would get higher.¹⁰

The Parsons newspaper in Labette County saw the shame of letting so much prairie grass go to waste yet was fearful of repeal of the herd law. The paper was afraid that a great many Longhorns would be driven into the county.¹¹ The Oswego paper of that same county printed a letter from a farmer. The letter stated that much of Labette County was undeveloped because of the herd law. Settlers didn't care to stay as they would rather live someplace where there wasn't a herd law and they could handle stock.¹² Another farmer wrote a letter and asserted:

If a man is able to own a herd of cattle, he should hire a herder. Give me the herd law all the time, for both rich and poor.¹³

The Oswego paper June 10, 1876, printed a short history regarding the herd law. In 1870, Labette County was sparsely settled. It was a feeding ground for Texas cattle except along the river where settlers

10. Coffeyville Courier (Coffeyville, Kansas), January 7, 1875.

11. Parsons Eclipse (Parsons, Kansas), January 6, 1876.

12. Oswego Independent (Oswego, Kansas), January 15, 1876.

13. Ibid., January 29, 1876.

lived. The settlers suffered heavy losses of their cattle from Texas fever. The herd law was adopted and caused the Texas cattlemen to go west. This law was a stimulant to agriculture and in 1876 Labette County was reported to be a fine farming country.¹⁴ The herd law wasn't enforced in all counties. Regarding this was reported:

It cannot remain as it is—enforced in some counties and disregarded in others.¹⁵

In 1877 there were complaints made in Montgomery County regarding the herd law. It wasn't being enforced and in Coffeyville trees and gardens were endangered ¹⁶ by cattle and horses running about the streets. In 1878 the farmers of Cherokee County wanted the herd law to continue, but wanted to limit the existence of the law to two or three years.¹⁷

Cattle trespassing caused a good deal of trouble. In 1880 in Cherokee County, a herd of cattle trespassed on the land of Lee Brown. He and his son, Riley, corralled them and Riley stayed to watch the cattle. Two herders came after Brown had gone and started a fight with Riley. Riley shot one of the herders in the head with buckshot and then received a wound himself. He staggered to the house, told his father and his father rushed out of the house, a hammer in his hand, and whipped the other herder. One herder escaped and the other one was held until morning and put into the custody of the law.¹⁸

14. Oswego Independent (Oswego, Kansas), June 10, 1876.

15. Southern Kansas Advance (Chetopa, Kansas), February 17, 1876.

16. Coffeyville Journal (Coffeyville, Kansas), August 4, 1877.

17. The Times (Baxter Springs, Kansas), December 19, 1878.

18. Ibid., May 27, 1880.

The drovers didn't always pay attention to the herd law.

Mr. Otis McCune, an old settler of Cherokee County, said that when he was a boy he saw, in the late seventies or early eighties, a herd of about 5,000 Texas cattle coming through the country. There was a field of about fifteen acres of corn in their path. The drover rode ahead and offered to buy the corn as he said his cattle would ruin it anyway. The farmer sold the corn and the cattle went through the field. After the cattle had passed through, the field was absolutely bare. So, the herd law remained a problem for quite some time.¹⁹

19. Interview with Mr. Otis McCune, Columbus, Kansas.

Chapter 13

LARGE RANCHES IN THE INDIAN TERRITORY AND THE CLOSING OF THE TRAIL

In 1879 cattlemen wanted to lease land from the Indians in the Indian Territory for agricultural purposes. The Secretary of the Interior decided in October against this as he wished the Indians to rely on themselves for support.¹ By the middle of December he changed his mind and decided that the Indians could lease their lands to white men. However, the application to lease the land had to be approved by the Department of the Interior.²

The use of barbed wire was growing rapidly in 1880. Barbed wire had been almost unknown five years before that time. It was reported that over 500,000 miles of plain wire was going to be barbed and put on the market that spring. One firm had made contracts to supply barb-fence manufacturers with more than \$1,000,000.00 worth of wire before June.³

The use of barbed wire began to effect the cattle drives. The Baxter Springs News, Baxter Springs, Kansas, April 19, 1883, asserted:

A contract has just been closed at Fort Worth, Texas, for the shipment of 75,000 head of cattle from the grazing regions south of that city, on the Gulf and Colorado and Santa Fe railroad, to Wichita Falls, 114 miles north. It will require 3,010 cars or 215 trains of fourteen cars each, at a total expense of \$165,000.00. The shipment is rendered necessary by the large amount of fencing recently put up in the southern part of the state.

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1. The Times (Baxter Springs, Kansas), October 23, 1879.
 2. Ibid., December 18, 1879.
 3. Chetopa Advance (Chetopa, Kansas), March 18, 1880.

At this same time the problem of fencing was causing trouble in the Territory. A Chetopa newspaper stated:

A prominent cattle man largely interested in cattle held on the Cherokee strip, reports the cattle men liable to lose large sums of money in case the order recently issued by Agent Tufts is strictly enforced, which will cause great damage to valuable property. Many of the large stock men, under permits granted by the Cherokee authorities, have expended large sums in erecting fences on an extensive scale inclosing extensive pasture fields miles in extent. Major Drumm, of Kansas City, has sixty miles of fence and many men holding stock there have pasture fields from fifteen to twenty miles square. The principal cause of the order and dissatisfaction of the Cherokees arises from the fact that the Standard Oil Company has invested largely in the cattle and stock business in the Indian Territory and are making active preparations for fencing in large tracts of land for ranging their stock. This, of course, aroused the jealousy of the small dealers who saw their range disappearing. Consequently complaints were made to the Interior department which led to the promulgation of an order for stock men to remove their stock from the Cherokee lands within twenty days. Probably no less than 200,000 head of cattle are now held in the territory and panhandle.⁴

The cattle associations of the Northern Indian territory took steps in the winter of 1883-1884 to restrict to two designated trails, the drives from further south.⁵ Fencing continued, the Chetopa paper asserted:

A syndicate of stockmen is engaged in fencing into ranges a tract of 6,000,000 acres, leased from the Cherokees for five years at an annual rental of \$100,000.00. It is believed that 1,000,000 head of cattle will be placed on the inclosed grounds by April 1.⁶

The Western Trail serving a region west of Southeast Kansas was closed for a while in 1884. The Baxter Springs newspaper stated:

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4. Chetopa Advance (Chetopa, Kansas), February 1, 1883.
 5. Malin, James C., An Introduction to the History of the Bluestem-Pasture Region of Kansas, 13.
 6. Chetopa Advance (Chetopa, Kansas), January 10, 1884.

The stock men of Texas and the southwest generally are not a little exercised over the closing of the Western cattle trail. It all comes from those illegal and monopolistic leases of vast tracts of land to a few syndicates, amounting to a turning over to less than a score of persons upward of 3,000,000 acres of land. This new class of land barons has gone on and fenced up the great tracts of land with barbed wire fences and of course the open cattle trail that has been used to drive up the vast herds of the southwest to the most convenient shipping points has to be closed.⁷

The newspaper further reported that the Indian Territory was fenced and monopolized by a dozen men. The cattlemen were moving their herds and fences eastward in the Territory:

The western half of the territory is now occupied and fenced up, and shortly the fences will be extended to the eastern border, with long leases fastened upon the country.⁸

This paper reported on the leases held in the western part of Oklahoma:

On a government map which we got from the Interior department at Washington a few weeks ago, and which is named and figured under the direction of Secretary Teller, Commissioners Price and McFarland, are the following described leases in the western part of Oklahoma:

number 1	E. Fenlon	564,480 acres
number 2	W. E. Mallaly	564,480 acres
number 3	H. B. Denham	575,000 acres
number 4	J. S. Morrison	138,240 acres
number 5	L. M. Briggs	318,729 acres
number 6	R. G. Evans	456,960 acres
number 7	R. O. Finter	500,000 acres
	Total	3,117,880 acres

Spell that out: three million, one hundred and seventeen thousand and eight hundred and eighty acres? Divide it up into 160 acre farms. Just 19,486 farms with 120 acres left for a soldiers home; on each farm a husband, wife, and three children would be say, or in round numbers, a thriving industrious population of 100,000 producers! And their vast domain leased to seven cattle kings.⁹

7. Baxter Springs News (Baxter Springs, Kansas), March 1, 1884.

8. Ibid., March 8, 1884.

9. Ibid., May 10, 1884.

The large cattlemen of the Territory were sometimes referred to as the "Bullionaires." 10

In 1884 the Cherokee Council passed a law limiting the amount that might be enclosed in one pasture to fifty acres. Sheriff Bibbes and a posse of Indians rode into the Territory south of Labette County and cut the fences enclosing larger tracts of land than were authorized by law.¹¹ They had begun cutting fences near Coffeyville, worked east to Chetopa, and then started south. The cattlemen had been given an ample warning to remove their fences. It was reported that the officers cut only the staples allowing the wire to drop to the ground; the wire was then gathered and sold to pay the costs for enforcing the law. Many cattlemen waited until the officers appeared and after seeing that the law was going to be enforced decided to remove their own fences.¹²

In 1885 the Texas Panhandle and Western Indian Territory cattle associations took steps to restrict driving as the cattle associations of the Northern Indian territory had in the winter of 1883-1884.¹³

In 1886 the Sheriff in the Cherokee Nation gave notice that all cattle, belonging to non-citizens of the Indian Territory, found there after a certain date would be rounded-up and sold. The Sheriff and his posse rounded-up a large number of cattle and started to drive them to Muskogee. About forty or more cattlemen assembled near Coffeyville and rode into the Territory to recover their stock. The cattlemen were

10. Baxter Springs News (Baxter Springs, Kansas), August 15, 1885.

11. Chetopa Advance (Chetopa, Kansas), July 3, 1884.

12. Baxter Springs News (Baxter Springs, Kansas), July 12, 1884.

13. Malin, James C., An Introduction to the History of the Bluestem-Pasture Region of Kansas, 13.

heavily armed and ready to meet any emergency. They overtook the Sheriff and his posse a few miles south of Coffeyville and demanded their cattle. The Sheriff refused to surrender the cattle, so the cattlemen proceeded to take them. The posse didn't attempt to do anything and the cattlemen drove the cattle into Kansas.¹⁴

In December 1886, United States troops were busy ejecting cattle from the Miami Nation south of Chetopa. Several cattlemen of Kansas had rented stock fields from the Indians and were letting their cattle forage in the fields, when the soldiers came and drove the cattle into Kansas. The Chetopa newspaper doubted that the authorities were acting legally in this affair.¹⁵

In 1887 the Cherokee Livestock Company was ordered from the Indian Nation and sixty miles of their pasture fences were torn down.¹⁶ The days of the cattlemen and trail driving were numbered. Dr. James C. Malin asserts:

The western Kansas settlement boom of the middle 1880's served only to supplement the activities of the cattlemen who had effectively closed all but the most westerly cattle trails and they were useable only under close restrictions.¹⁷

The Chetopa Advance, Chetopa, Kansas, July 28, 1887 stated:

Texas cattlemen have decided to turn back all the cattle on the trail, fully 50,000, abandoning that route forever. That thoroughfare answered every purpose for the past thirty years, but lately railroads with fences and quarantines have done their work, and no more will western Kansas receive thousands of long horns after their dusty and weary tramp of six or seven hundred miles.

14. Coffeyville Journal (Coffeyville, Kansas), August 28, 1886.

15. Chetopa Advance (Chetopa, Kansas), December 30, 1886.

16. Baxter Springs News (Baxter Springs, Kansas), May 7, 1887.

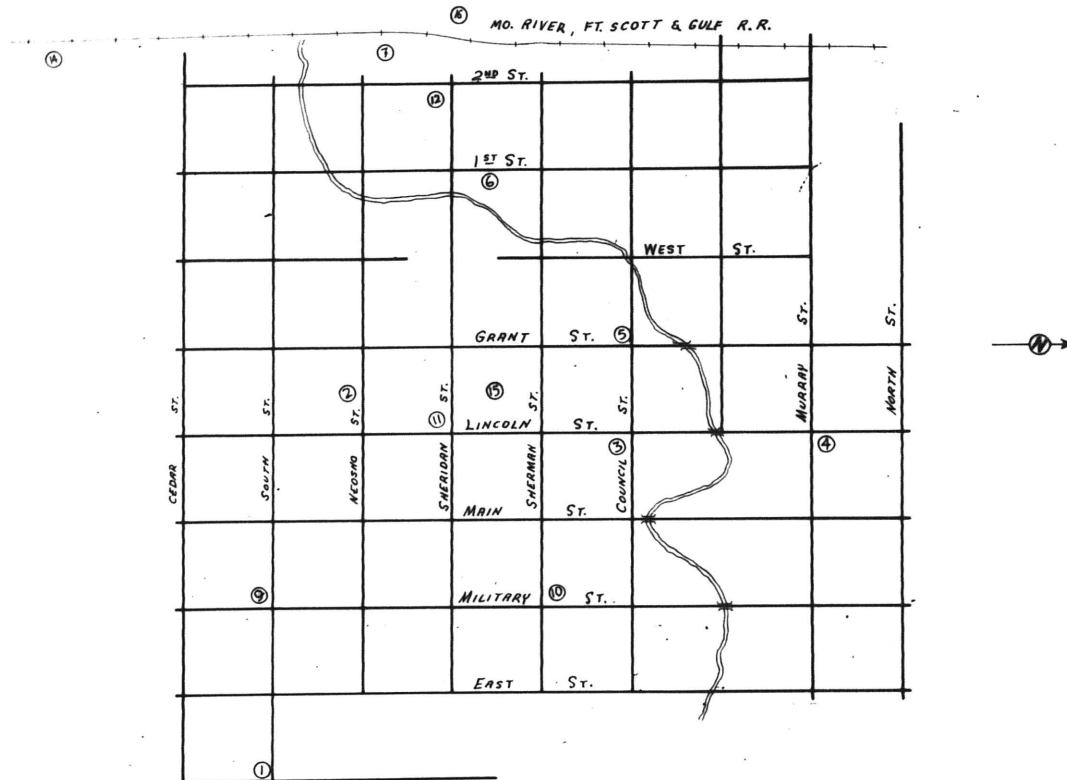
17. Malin, James C., An Introduction to the History of the Bluestem-Pasture Region of Kansas, 13.

Thus the trails to Kansas were being closed and the day of the drover and the Longhorns was drawing to an end in Kansas.

Part V

SOUTHEASTERN KANSAS COW TOWNS

BAXTER SPRINGS, KANSAS 1871



- 1-EPISCOPAL CHURCH
- 2-BAPTIST "
- 3-PRESBYTERIAN "
- 4-AFRICAN "
- 5-PUBLIC SCHOOL
- 6-CATHOLIC "
- 7-RAILROAD DEPOT
- 8-GIBBENS HOUSE

- 9-BATEMAN HOUSE
- 10-WIGGINS "
- 11-COTTAGE HOME
- 12-JONES HOTEL
- 13-TURNER HALL
- 14-STOCK YARDS
- 15-COURT HOUSE
- 16-DEPOT

Chapter 14

BAXTER SPRINGS

Baxter Springs was located in Cherokee County, the southeast corner county of Kansas. The history of Baxter Springs begins before Kansas became a state:

Before the war, when Kansas was a territory and Southern Kansas was a terra incognita, "Old Man Baxter," a queer compound of political and religious intolerance, craftiness, and brutality claimed a claim among the hills and built a cabin near the springs and by the roadside. It was on the government trail from Ft. Leavenworth to Gibson, and the chance travelers that came this way made a stopping place here and found a rude welcome under the broad roof and by the blazing fire of the squatter, and so Baxter Springs came to be widely known, for what could be of more interest to the traveler than water in a dry land or shelter in time of storm?

But the springs have a history older than Baxter, or the trail on which he built his cabin. Some of the most valuable incidents pertaining to the Indian Country are associated with these springs. When the commissioners were sent from Ft. Wayne in 1842 to establish a new fort in the Indian country, they found a large camp made up of different tribes surrounding the springs, and learned of the most remarkable cures being made by them. The Indians told the commissioners of their reverential awe for the springs and the healing virtues they possessed for every disease and infirmity. An effort was made to secure a site for the fort, but the Indians refused to cede the lands and the commissioners were compelled to seek another location, which they found on the Marmaton, and established Ft. Scott.

In the fall of 1860 Baxter and two other men were killed in a dispute over the settlement of a debt due Baxter as administrator of his son-in-law's estate. The circumstances were these: Baxter's daughter married a man named Carr, who took a claim in the vicinity of the springs and was shortly afterwards killed. The widow sold the claim to one Rogers, who paid part in cash and gave his note for the balance. When the note fell due, Baxter demanded payment, and Rogers not having the money, offered him stock from his farm. Baxter refused this, as he was anxious to get possession of the land, and precipitated in a quarrel, in which Rogers ordered him off the premises. Baxter got his son John and a neighbor named Lewis to accompany him, and the three, well mounted and armed, returned to renew the quarrel. Rogers saw them coming, and, together with his son and neighbor named Morris, prepared to receive them. When the attacking

party had come within range they were halted, and Rogers stepped to the door with a double-barrelled gun and demanded a parley. Baxter replied with a shot from his rifle, which missed its mark, and was answered by a charge of small shot from Roger's gun, taking effect in Baxter's leg. The Baxter party then made a dash, when Rogers fired again, the charge taking effect in Baxter's breast, killing him instantly. Lewis fired at the same time, killing Morris, and John Baxter fired a moment later, killing young Rogers. The elder Rogers escaped from the house at this juncture and fled to the Indian territory, leaving the dead bodies of his son and neighbor and all his property to the tender mercies of the murdering crew who sought to exterminate his family and name.

A few months after this Judge Plummer, of Neosho, Missouri, bought the Baxter claim, including the springs, of the heirs, for \$1,400.00 in gold, with a view to build a water cure establishment. The war came on and all business schemes disappeared in the smoke of conflict. The virtue of the springs became established, however, by the troops who regularly camped there in their marches back and forth between Scott and Gibson, and by the garrison of a post that was established in 1863-4. The waters were found to be efficacious in the various diseases incident to a soldier's life, especially rheumatism, dyspepsia, cutaneous diseases and general debility.

After the war a Mr. Wheeler, agent of a Baltimore company, bought the claim of the Plummer heirs for \$2,500.00. About this time a hard lot of fellows overran this country and dictated their pleasure by the force of arms. They jumped the claim and bid defiance to law and decency. After having things their own way for a time they saw a growing change of public sentiment and sold out to a company of emigrants with a view to leaving the country. On the following morning the carcasses of the outlaws were found depending from the limbs in the grove. Seven were discovered in one picturesque group. Who they were was never known, but quiet reigned ever afterward, and it is said the trees bore no more such wondrous fruit. The emigrants extended their claim to include a section of land and authorized a town company, composed of J. S. Van Epps, Joel Brewster, S. Barnes, M. J. Mann, O. R. Dunbar, James Love and Ben Gump.¹

In 1866 a town site of eighty acres was laid out. The first house built on the town site was a log dwelling belonging to Armstrong and Davis. In 1866 Baxter Springs wasn't much of a town,² but a period

1. Baxter Springs News (Baxter Springs, Kansas), February 23, 1882.

2. Andreas, A. T., History of the State of Kansas, 1,161-1,162.

of remarkable growth was to set in as a result of the Texas cattle drives.³ Baxter Springs became the first of a long series of cowboy capitals. During the summer of 1866 about one-fourth of a million head of cattle were jammed along the Kansas border. The cowboys were idle until fall, when the state law would permit cattle to be driven into Kansas. The city opened its doors to the idle cowboys and saloons and gambling halls provided excitement for the cowboys thus:

The first of a long line of red light districts, the inevitable concomitant of every cattle town, developed.⁴

Baxter Springs was the liveliest place in the West.⁵

In 1867 lead was discovered within three miles of Baxter Springs. This provided another reason for the need of a railroad to the city. The town was beginning to assume almost metropolitan airs and building was going on rapidly. Pine lumber that sold for about forty dollars per thousand feet was being used.⁶

In 1868 Baxter Springs had over 1,000 inhabitants. February 25, 1868 the State legislature passed an act providing for the incorporation of Baxter Springs as a second class city.⁷ April 10, 1868 a petition was presented to the County Commissioners to provide for a road to be laid at the south end of Military Street to the state line.⁸ May 30, 1868,

3. Andreas, A. T., History of the State of Kansas, 1,161-1,162.

4. Wellman, Paul, The Trampling Herd, 89-156.

5. Ibid., 156.

6. Olathe Mirror (Olathe, Kansas), December 26, 1867.

7. Laws of the State of Kansas, 1868, 31-32.

8. Cherokee County, County Commissioners Journal, Columbus, Kansas, 1868, 8.

Baxter Springs was proclaimed the permanent county seat of Cherokee County as it had received a majority vote of the citizens.⁹

Baxter Springs was gaining rapidly in population. January 1, 1868 the population was 1,100 while by July 13 the population had grown to 1,500.¹⁰ A large Indian trade was growing up and many times the stores would be filled with men, squaws and papooses.¹¹ By October, 1868, the population of Baxter Springs was 1,596. The town was becoming a great supply point for emigrant trains. As the town was on the southern boundary of the State it was becoming one of the outposts of civilization.¹² The town was hoping for a railroad, giving direct communication with St. Louis, that would transport the herds of Texas cattle.¹³

Cowboys enjoyed riding up and down the streets as fast as their horses would run, shooting off their revolvers as they rode. The city wanted at least to stop such reckless riding so city ordinance number twenty-three was passed:

Be it ordained by the mayor and councilmen of the city of Baxter Springs--Section 1. All persons are hereby prohibited from Riding or Driving within the corporate limits of said city faster than the Rate of Eight miles per hour.

Section 2. Any person or persons violating this ordinance shall be fined not less than Five nor more than Ten Dollars for each and every violation thereof.

Section 3. This ordinance shall take effect and be in full force from and after its publication once in the Baxter Springs Herald (Herald).

Approved February 2nd, 1869
W. M. Matheny, Mayor.¹⁴

9. Cherokee County, County Commissioners Journal, Columbus, Kansas, 1868, 15.

10. Weekly Journal of Commerce (Kansas City, Missouri), July 25, 1868.

11. Cherokee Sentinel (Baxter Springs, Kansas), October 30, 1868.

12. Ibid.

13. Ibid.

14. Baxter Springs, City Ordinances, 1869, 25.

February 20, 1869 the county seat was moved to Columbus and all county officers were required to keep their offices in the County seat.¹⁵ The election had been held on February 16 and Baxter Springs lost the county seat by thirty-four votes.¹⁶ May 14, 1869, the Mayor and Council passed city ordinance number forty. This provided that no cattle, hogs, or sheep were to be slaughtered in the city other than at the regular slaughter pens established by the city.¹⁷ In 1869 the town voted bonds to the Kansas City, Fort Scott and Gulf Railroad to the amount of \$150,000.¹⁸

The Workingman's Journal, Baxter Springs, Kansas January 7, 1870 printed a letter to the Memphis Christian Advocate by Bishop Pierce about Baxter Springs. Bishop Pierce stated:

At Baxter Springs I struck a tri-weekly line of stages, and had to lie over two nights and a day. The delay was bad enough in itself, but it was rendered more unpleasant by the abounding wickedness of the people. I do not think I ever heard as much profanity in twenty-four hours in all my life. A horse-race was on hand, to come off the day I left. This was the theme of general conversation. Some betting on the black horse, and others on the sorrel, and every sentence mixed with oaths and blasphemies which made me shudder. It was mortifying to see a company of human beings born to die, and yet immortal, thus excited and absorbed by a quarter race between two saddle horses. I was glad when the time came to leave. There were but four of us, all told, the hack was comfortable, and as one rode out with the driver, we had room enough within. We met many, during the morning hours, hastening with eager steps to "the race."a taste for brutal sports will demoralize the people and may be considered the forerunner of national decay.

15. Cherokee County, County Commissioners Journal, Columbus, Kansas, 1869, 60.

16. Chetopa Advance (Chetopa, Kansas), March 3, 1869.

17. Baxter Springs, City Ordinances, 1869, 51.

18. Andreas, A. T., History of the State of Kansas, 1,161-1,162.

March 3, 1870, city ordinance number fifty-three was passed. This provided that persons keeping butchers shops would have to pay ten dollars a year for this license.¹⁹

In April 1870 the Kansas City, Fort Scott, and Gulf Railroad reached Baxter Springs. May 1, the first passenger train from Kansas City reached Baxter Springs. Mr. S. B. Caruth, a merchant of Baxter Springs, bought the first through ticket and rode on this train.²⁰ Cattle pens were built to accommodate the Texas drovers. Regarding the cattle pens Mr. H. H. Halsell, who drove cattle to Baxter Springs, stated:

The cattle pens for Baxter were located about one mile southwest of the town and just across the line into Oklahoma. I visited the old pens during the year 1918. To my surprise, a few of the old posts were still standing there. The last time I went to look these were all gone.²¹

Baxter Springs had a difficult time in maintaining order. G. W. Long was fined two dollars and fifty cents, July 5, 1870, for carrying a revolver within the city limits of Baxter Springs.²² McNalley was fined twenty dollars and costs for:

keeping open a house, procuring and permitting persons to assemble together and play for money a game commonly called Faro.²³

The city had difficulty with the red-light district. A case in police court was brought by the city against Mollie Bowman:

Complaint made July 4, 1870 by H. D. Seman that defendant was violating a city ordinance by maintaining and keeping a

19. Baxter Springs, City Ordinances, 1870, 64.

20. Baxter Springs News (Baxter Springs, Kansas), February 23, 1882.

21. Halsell, H. H., Cowboys and Cattleland, 214.

22. Baxter Springs, Police Judge Docket, 1870, 1.

23. Ibid., 2.

lewd house or place for the practice of adultery. Defendant pleaded not guilty. Case continued to July 6th 1870 when case was withdrawn by Mayor and the city paid costs of \$5.00.²⁴

Frank Burrough was fined \$15.00 and costs on July 7 for keeping a house of ill-fame.²⁵ The prostitutes were served notice to get out of Abilene. According to the Abilene Chronicle they left for Baxter Springs and Wichita on September 7, 1870.²⁶

In 1871 \$10,000.00 in bonds were voted to apply to the erection of a court house and a jail, which the town intended to donate to the county in hopes of getting the county seat.²⁷ An era of speculation and spending was the order of the day:

Palatial residences were built and public buildings far in advance of the requirements of the place.²⁸

Baxter Springs' growth was far greater in proportion than the growth of the county.²⁹

Baxter Springs was having trouble maintaining order in 1871. January 15, 1871 John Fellows was fined twenty dollars and costs for retailing liquor.³⁰ September 1, 1871 the editor of the Cherokee Sentinel, Baxter Springs, reported that the City Marshal was going to enforce Ordinance eleven of the City, relating to houses of ill-fame. Section I provided that anyone convicted of keeping a house of ill-fame would be fined not less than ten or more than one hundred dollars; Section III

24. Baxter Springs, Police Judge Docket, 1870, 3.

25. Ibid., 4.

26. McCoy, J. G., Historic Sketches of the Cattle Trade of the West and Southwest, 206.

27. Andreas, A. T., History of the State of Kansas, 1,161-1,162.

28. Baxter Springs News (Baxter Springs, Kansas), February 23, 1882.

29. Ibid.

30. Baxter Springs, Police Judge Docket, 1871, 341.

provided that an inmate of the house was to be fined not less than five or more than fifty dollars; Section IV provided that all that was necessary to conviction was proof of general reputation, and Section V provided a fine of five to fifty dollars for persons in the house. The editor wanted the ordinances enforced as the floating population of the city was detrimental. It was the height of folly to have city ordinances and not enforce them.

In the same issue of this paper the City Marshal had this notice printed:

All keepers of and inmates of houses of ill-fame, and parties loitering around or visiting the same, are notified that I will proceed immediately to enforce Ordinance no. 11 of the City Council of the City of Baxter Springs, in its strictest letter, and to save trouble and expense, it is hoped that parties will take this warning and abide the provisions of the law.

C. M. Taylor
City Marshal³¹

However, lawlessness continued. The Baxter Springs Examiner, Baxter Springs, September 14, 1871 carried this advertisement:

Lone Star Sal
Military Street, south of Cherokee
County Bank. The BEST of Wines, Liquors,
and Cigars always on hand.
Robert Vaughan, Prop.

On another page of this paper was an item stating:

The "Lone Star" Saloon is the favorite resort for the Texan boys.

The Cherokee Sentinel, Baxter Springs, September 17, 1871 recorded the number of cases that had been disposed of at Police Court the last week:

Mollie Bowman for keeping house of ill-fame, \$50.00 and costs
Jennie Mitchell inmate house of ill-fame, \$30.00 and costs
Nellie Wright inmate house of ill-fame, \$30.00 and costs

31. Cherokee Sentinel (Baxter Springs, Kansas), September 1, 1871.

Sallie Miller--keeping house of ill-fame, \$50.00 and costs
 Blumson, for gambling, \$50.00 and costs
 Tibbs, for gambling, \$50.00 and costs

The city needed some new board walks along Military Street as many of the old boards were broken. There was plenty of work for the people of Baxter Springs as "upwards of 4,000 tons of hay" was going to be put up within eight miles of the city in the fall of 1871.³²

Keeping order was still difficult in 1872. May 9, J. W. Palmer was arrested for "conducting himself in a disorderly manner and openly using indecent language." The charge was brought by Marshal Taylor but May 17 Palmer's case was dismissed as there wasn't enough evidence for conviction.³³ May 14, Solomon Cox was fined for drunkenness and disorderly conduct.³⁴ There was a tax of \$25.00 annually on Taverns, \$200.00 on Dram-Shops, \$200.00 on Saloons and \$50.00 license for whole sale of liquor. At this time the Marshal was receiving \$60.00 per month and the Assistant Marshal was receiving \$25.00 a month.³⁵ On June 22 Tiger Bill, an outlaw, returned to Baxter Springs but he found the place too hot for him and departed for points unknown. Perhaps he left because the County Sheriff, J. H. Ludlow, was in town. The Sheriff arrested the saloon-keepers of Baxter Springs because they had been selling whiskey on Sunday.³⁶

One of the worst tragedies of Baxter Springs in 1872 was the killing of Marshal Taylor:

32. Cherokee Sentinel (Baxter Springs, Kansas), September 17, 1871.

33. Baxter Springs, Police Judge Docket, 1872, 13.

34. Ibid., 16.

35. Baxter Springs Sentinel (Baxter Springs, Kansas), June 22, 1872.

36. Ibid.

Last Saturday evening Mayor J. R. Boyd of Baxter Springs shot and killed C. M. Taylor, Marshal of that city. We were in Columbus the next day, and from Boyd and his enemies we learned the full particulars, which are substantially these. Boyd was indebted to Mr. Smith, a lumberman, in a small amount and when asked for the money he became indignant and knocked Smith down. This rash deed Smith considered rather too much to be borne, and he swore out a warrant for the arrest of Boyd, which was placed in Taylor's hands for service. Here it is proper to state that for two years past Boyd and Taylor have been uncompromising enemies, and have spoken to each other only when compelled to. Soon after the warrant was issued, Boyd heard the facts, and determined to either bully Taylor or have a difficulty. He therefore armed himself with a navy revolver, which he placed in the front of his pants, leaving the handle in sight, and also a derringer, which he concealed in his right pants pocket. He then seated himself on a box on the sidewalk and awaited developments. Soon Taylor stepped up to him and said, "Colonel, I have a warrant for your arrest," and immediately read it. To this Boyd replied, "All right; when do you want me." "Now," says Taylor. They then started down the street, when Boyd placed his right hand on his derringer, at the same time fumbling his revolver with his left hand in a rather daring manner, as much as to say "Touch me, if you dare." Noticing the revolver Taylor again said, "Colonel, while you are under arrest I must have your arms." To this Boyd replied, "Not by a damn sight," at the same time drawing his derringer and firing, the ball passing directly through the heart. Taylor fell and died without a struggle. Boyd after the shooting threw the derringer in the street, drew the revolver and walked leisurely down the street. About eight o'clock that night, during the wildest excitement, he was arrested by Sheriff Ludlow and taken to Columbus to await an examination, which was had on Wednesday. There can scarcely be a doubt that the murder was committed in cold blood, and J. R. Boyd should be compelled to suffer the penalties of the law.³⁷

There was another shooting affair in August. Thomas Wells became too intimate with a young lady named Mathews. Her father and brother became enraged, armed themselves with navy revolvers, and went to the Globe saloon, where Wells was seated in a chair. The two men attacked Wells and knocked him down several times. Wells drew his revolver and attempted to shoot but the gun missed fire. Young Mathews then shoved

37. Oswego Independent (Oswego, Kansas), July 6, 1872.

his revolver to Wells eye and fired. The ball entered Wells's brain and he died instantly.³⁸

There were many cowboys in Baxter Springs in 1872. The Baxter Springs Sentinel, June 22, 1872 asserted:

A stranger to witness the number of mustangs parading our streets, bearing upon their sides the map of Mexico, and the jingling of hundreds of ornamental bells, vulgarly termed "spurs," used to decorate the boot heels of the Mexican and cow-drivers, and to excite the risibilities of bucking ponies, and he can well imagine himself in the old city of Mexico! These, however, are the concomitants of Texas cattle. So, it's all right, bring on your cows!

In 1872 the city erected a school building at a cost of \$34,000.00. It was a two story brick building with a large basement. The building was seventy-five feet long, sixty feet in height and contained twelve large rooms, four on each floor, besides cloak rooms, teachers' and superintendent's rooms, recitation rooms and large hallways.³⁹

In 1873 \$4,000.00 worth of bonds were issued for street improvements.⁴⁰ By this time the city had a bonded indebtedness of \$189,000.00, an amount greater than the real value of the taxable property of the people. Baxter Springs fell into a deep slump as other railroads were cutting into their cattle trade, quarantine legislation against Texas cattle was hurting their cattle trade and rich lead mines were discovered eight miles east of town. The discovery of the lead mines drew many people from town and property slumped. Town lots sold for seventeen cents a lot. The town began to gradually get out of debt

38. Oswego Independent (Oswego, Kansas), August 31, 1872.

39. Baxter Springs News (Baxter Springs, Kansas), April 13, 1882.

40. Andreas, A. T., History of the State of Kansas, 1,162.

as the bondholders agreed to accept eighteen to fifty cents for each dollar of indebtedness.⁴¹

Baxter Springs was still in a slump in the spring, 1876:

....quiet streets, dilapidated and untenanted buildings, he might come to the conclusion that a graveyard is far less suggestive of disappointment, mutability and decay, not to say death, than is the once "gay and festive" Baxter at the present time.⁴²

However, this was changing by summer time. Texas cowboys were again back in Baxter Springs. A Texas cowboy remarked that a "whoop in Baxter was worth \$8.00."⁴³ In 1876 Baxter Springs, with a population of 1,200, was still the largest town in the county. It seemed that the revival of the cattle trade would brighten the future of the town.⁴⁴

The citizens of Baxter Springs were disturbed by gun-fire at night. Almost every night cowboys would shoot up or down the streets endangering people's lives. Shots were fired, across Military street one night into Bischofsberger's restaurant, just missing his children and entering the door post about two feet from the head of Bischofsberger's wife. Citizens of the town wanted an end to the lawlessness but the police force seemed to be undisturbed and there were no signs of improvement in the city's night life.⁴⁵ In November as a Mr. Scran was returning home at night someone fired on him and the bullet passed through the

41. Allison, Nathaniel, History of Cherokee County Kansas, 152; Andreas, A. T., History of the State of Kansas, 1,162.

42. Chetopa Herald (Chetopa, Kansas), March 11, 1876.

43. Baxter Springs Republican (Baxter Springs, Kansas), June 23, 1876.

44. Ibid., July 7, 1876.

45. Ibid., July 14, 1876.

brim of his hat.⁴⁶ Houses of ill-fame were still operating in Baxter Springs. Late in May some of the women in one of the houses shot at a group of boys who had tried to disturb them.⁴⁷ There was a large amount of drunkenness in town:

Hardly a night passes, but some drunken rowdy fires his revolver up and down the streets, to great discomfort of timid pedestrians and, especially, strangers who are not used to such proceedings. Can't our officers stop it, if our police force is not sufficient increase it.⁴⁸

The jail was in such poor condition that prisoners broke out:

The prisoners in the calaboose broke out again Saturday night. Why won't the city officials see to it that that institution is put in good condition? Just as well lock a man up in a pig pen.⁴⁹

In 1879 it seemed as though the cattle trade would be improved.⁵⁰

One Saturday in May:

The city was crowded with teams and people, and in the afternoon, nearly a score of Texas "cow boys," rode into town with the regulation "pistol, dirk and leather breeches" strapped upon them.....⁵¹

The cattle trade became quite a business in Baxter Springs in 1879 and quite a large number were shipped.⁵² A dangerous stampede of some 300 head of cattle occurred one night in June when a cat fight on the stock yards fence resulted in one cat leaping on a steer's back, then from that

46. Cherokee County Republican (Baxter Springs, Kansas), November 17, 1876.

47. Baxter Springs Republican (Baxter Springs, Kansas), June 2, 1876.

48. Ibid., October 21, 1876.

49. Cherokee County Republican (Baxter Springs, Kansas), November 17, 1876.

50. The Times (Baxter Springs, Kansas), February 13, 1879.

51. Ibid., May 29, 1879.

52. Ibid., July 17, 1879; October 16, 1879.

steer to the backs of others. The cattle jumped up, broke through the stock yard fences, and fled into the country.⁵³

F. B. Ray was charged with illegal voting at the city election in Galena. Ray claimed to be a resident of Kansas and said that he had herded sixty-five head of Texas cattle all during the summer of 1878 within about sixty-five feet of the court house and borrowed wash-tubs from the neighbors, so that the cattle might drink. The editor of the Columbus Courier wondered:

What kind of grass will grow on the public square of Baxter that will feed sixty head of cattle for an entire summer? The people down there must be very obliging with their wash tubs.

During the trial one man asked Ray, "Young man, was you not ashamed to take advantage of Baxter's desire to make a National Cemetery of herself?" "No, no!" says he, "wasn't nothin' of the kind. But I tell you, pard, it was the Lonesomest Herdin' Ever I Done." Ray was given a verdict of guilty and ninety days in jail.⁵⁴

Liquor was a problem in 1879. The editor of The Times said there were more drunken men in Baxter Springs one day than he had ever seen before in Baxter Springs.⁵⁵ The Baxter Springs jail was still easy from which to escape. In September three men, who were being held for stealing cattle, sawed off a door clasp, jumped out of the jail window and escaped.⁵⁶

53. The Times (Baxter Springs, Kansas), June 12, 1879.

54. Ibid., May 29, 1879.

55. Ibid., September 25, 1871.

56. Ibid.

Baxter Springs was more prosperous in 1879 as it had paid off most of its indebtedness. The city owed about \$10,000.00 yet. This meant that a big burden had been lifted from the taxpayers.⁵⁷ The population of Baxter Springs was 1,057. At one time before its large indebtedness Baxter Springs had had a population of 5,000.⁵⁸

Quite a scandal was caused in 1880 by the pastor of the M. E. church, W. E. Howell. Although he had a wife and seven children, he had been making love for some time with the wife of another man in Baxter Springs. This man intercepted love letters of his wife and the pastor. The letters contained plans of Howell and this man's wife to run away together.⁵⁹

The Baxter Springs Mirror, April 5, 1881 reported on Cherokee County and Baxter Springs. Cherokee county was the fifth county in the state in point of population and wealth. The population of Baxter Springs was 1,300. Baxter Springs still had good herding and grazing facilities nearby that made the city an excellent place to bring cattle from the Indian Territory, Arkansas, Missouri, and Texas.⁶⁰

The cattle trade was slow in 1882. The Baxter Springs News, April 27, 1882 stated:

A few years ago long trains of box or cattle cars would load up and depart northward at the rate, in some instances, of

57. The Times (Baxter Springs, Kansas), March 27, 1879; Chetopa Advance (Chetopa, Kansas), April 3, 1879.

58. Baxter Springs Mirror (Baxter Springs, Kansas), April 5, 1881.

59. Chetopa Advance (Chetopa, Kansas), February 5, 1880.

60. Baxter Springs Mirror (Baxter Springs, Kansas), April 19, 1881.

four to five trains per day, each one carrying 400 or 500 head of fat steers.....

There were quite a number of cattle shipped in 1884 and 1886.⁶¹

In April 1889 the Baxter Springs Electric Light and Power Company turned on electric lights in the town.⁶² Baxter Springs wild days were past but there were many old settlers who could still remember:

.....scenes and incidents of the early days of Baxter when as a frontier town it was the cowboy's paradise,---days when the merry whistle of the bullet and the gentle shriek of the victim were heard almost daily---days when lawlessness was the rule, and there was little security to life or property.⁶³

61. Baxter Springs News (Baxter Springs, Kansas), July 5, 1884; June 12, 1886.

62. Ibid., April 13, 1889.

63. Ibid., December 31, 1887.

Chapter 15

CHETOPA

Chetopa was located on the Neosho River near the southeast corner of Labette County. Cherokee County was east of Labette County and to the south was the Indian Territory.¹ Members of the Powhattan Agriculture Association, from Powhattan, Ohio, reached on April 17, 1857 the spot where Chetopa now stands.² In July a house was erected for Dr. Lisle.³ He returned to Ohio, brought his family back to Kansas and staked out a claim May 1858.⁴ That spring and summer he broke up ten acres of ground and fenced it.⁵ In 1860 mail was delivered by private conveyance to Chetopa from Brushville, about three miles north of Baxter Springs.⁶ The Civil War slowed the growth of Chetopa.⁷ In 1866 Chetopa received weekly mail every Thursday from Humboldt, Kansas.⁸ In 1867 Chetopa was still a small Indian trading post.⁹ January 22, 1868 the first meeting of the Chetopa Town company was held.¹⁰

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1. Andreas, A. T., History of the State of Kansas, 1,453-1,474.
 2. Ibid., 1,473-1,474.
 3. Southern Kansas Advance (Chetopa, Kansas), January 6, 1876.
 4. Andreas, A. T., History of the State of Kansas, 1,473-1,474.
 5. Southern Kansas Advance (Chetopa, Kansas), January 6, 1876.
 6. Ibid.
 7. Andreas, A. T., History of the State of Kansas, 1,473-1,474.
 8. Southern Kansas Advance (Chetopa, Kansas), January 6, 1876.
 9. Chetopa Advance (Chetopa, Kansas), May 12, 1887.
 10. Andreas, A. T., History of the State of Kansas, 1,473-1,474.

The editor of the Chetopa Advance, January 20, 1869, was considerably irritated with the Indians. A large number of Osage Indians had been in town the last week with paltries and ponies for sale and they weren't up to the type portrayed by Cooper. The Indians needed to use soap for their exteriors and the use of water as an interior beverage. The warriors let the women do all of the work.¹¹

The news that a railroad was going to be built to Chetopa resulted in a town boom.¹² In 1869 a great many persons established cattle ranches in the vicinity of Chetopa as it seemed that Chetopa would be a center for the Texas cattle trade.¹³ Many Texas cattle were bought. York and Tileston were stock dealers who bought Texas cattle and retailed them to persons in the vicinity of Chetopa. March 10, 1869 they had 1,200 head of Texas cattle that they were going to sell within the next thirty days.¹⁴

The editor of the Chetopa Advance seemed to have changed his mind regarding Indians by April 7, 1869. He asserted:

There is no greater mistake than that of supposing that the Indian Territory is a desert waste inhabited by howling savages. In fertility of soil and solubility of climate, it is unsurpassed on this continent. Its population, composed of Cherokees, Delawares, Creeks, Choctaws, Chickasaws, Seminoles, Miamis, and Quapaws are far advanced in the arts of civilized life. They live in good homes, dress like white people, have good schools and church organizations, excellent codes of laws, sleep on feather beds, and cultivate the soil. No where in America is life safer than in the Indian Territory. One would run more risk crossing the main streets of New York or Chicago after dark than traveling the whole length of the Territory.

11. Chetopa Advance (Chetopa, Kansas), January 20, 1869.

12. Ibid., May 12, 1867.

13. Ibid., February 24, 1869.

14. Ibid., March 10, 1869.

A stage line between Ft. Scott and Chetopa was established October 18, 1869. The stage went weekly until December when it became tri-weekly.¹⁵

By 1870 Chetopa had grown to a town of over 1,500 people.¹⁶ It was thought by many that Chetopa would become the "Philadelphia of Kansas" as the streets were so broad and regular. The editor of the Southern Kansas Advance, February 9, 1870 stated, "Nearly every shade of the human race may be found in Chetopa." There were white men, Cherokee half-breeds, full-blooded Indians, "greaser" Mexicans and long haired Texan drovers.¹⁷ The Texas cattle trade was now quite large.¹⁸

There was also a profitable trade with the Cherokee Indians.¹⁹ Sometimes this trade was in liquor and the results weren't pleasant. A mixed Cherokee and Comanche, Samuel Wisner, became drunk and was put in the calaboose by police officer Jarrett. Wisner was released in a few hours and then suddenly fired four shots at Jarrett. Jarrett returned the fire, one ball hitting Wisner in the forehead. After the wound was dressed the Indian attempted another get-away but was shot and mortally wounded by another police officer. Because of this incident the Indians grew angry and Indian hostilities were reported in the vicinity of Chetopa.²⁰

15. Andreas, A. T., History of the State of Kansas, 1,473-1,474.

16. Southern Kansas Advance (Chetopa, Kansas), January 5, 1870.

17. Ibid., February 9, 1870.

18. Ibid., February 16, 1870.

19. Ibid.

20. The Workman's Journal (Chetopa, Kansas), January 7, 1870.

City ordinances were passed making it unlawful to ride or drive any animals through the city at an improper speed that would endanger people; a fine of fifty dollars was set up for people guilty of running gambling houses and the fine for anyone setting up a "Bawdy house or brothel" was fifty to five hundred dollars.²¹

On February 12, 1870 Chetopa pledged \$50,000 in securities to the M. K. and T. Railroad.²² A letter to the editor from Tom Spicer was printed in the Southern Kansas Advance February 23, 1870. Spicer thought that the railroad coming to Chetopa would bring a boom in the cattle trade. In order to encourage this he suggested that wagon roads be built through the Cherokee Nation to Chetopa. This would make it easy for the Texas drovers to come to Chetopa and thus Chetopa's Texas cattle trade would be greatly increased.

By May 1870 Chetopa had four churches, three saw mills, and a planing mill.²³ Building was progressing rapidly in Chetopa. The M. K. and T. Railroad reached the city June 6 and the State line June 8.²⁴ Chetopa developed rapidly as a cattle town and was becoming well-known as such by July 15.²⁵ Immense herds were driven from Texas and shipped; Chetopa also drew a large trade from the surrounding country.²⁶

21. Southern Kansas Advance (Chetopa, Kansas), April 20, 1870.

22. Andreas, A. T., History of the State of Kansas, 1,473-1,474.

23. Southern Kansas Advance (Chetopa, Kansas), May 18, 1870.

24. Ibid., January 6, 1876.

25. Oswego Register (Oswego, Kansas), July 15, 1870.

26. Southern Kansas Advance (Chetopa, Kansas), September 14; October 26; November 9; 1870. The Settlers Guide (Chetopa, Kansas), May 1880.

By the spring of 1871 the population of Chetopa was over 3,000.²⁷ The town was booming. A school building costing \$34,000.00 was built, the National Hotel cost \$12,000.00 and F. Fraunberg built a large wholesale liquor store. This boom was costing the town as a heavy indebtedness began to accumulate.²⁸ Chetopa had a great trading advantage over Baxter Springs as the M. K. and T. Railroad extending into the Indian Territory enabled them to divert part of the cattle trade from Baxter Springs.²⁹

As Chetopa grew in size so did crime. The Southern Kansas Advance April 10, 1872 reported that a man was fired upon and almost killed while walking down the street one day. The editor asserted:

Right in the heart of Chetopa there is a vile den of infamy where just such crimes as these are concocted....such dens of infamy ought to be gutted and thrown into the Neosho river. When any place becomes the rendezvous of cutthroats, gamblers, and thieves....it is time for the community to assert the right of self defense.

In 1872 the M. K. and T. road made arrangements for the building of a stock yards at Chetopa. It was thought that nearly all of the cattle shipped over the M. K. and T. would be unloaded and fed at Chetopa. There were indications that many drovers would still drive to Chetopa rather than ship, so it seemed that the town would have a large cattle trade.³⁰ The yards were completed by 1873 and were large enough to accommodate 3,000 head of cattle.³¹ May 14, 1873 the Chetopa paper

27. The Settlers Guide (Chetopa, Kansas), May 1880.

28. Andreas, A. T., History of the State of Kansas, 1,473-1,474.

29. Southern Kansas Advance (Chetopa, Kansas), June 28, 1871.

30. Ibid., July 10, 1872.

31. Ibid., January 15, 1873.

reported that the yards had been enlarged to double their capacity and thousands of cattle had passed through that spring with the prospect that a larger number of cattle were yet to be shipped.³²

There was a great deal of gambling in Chetopa in 1873. The newspaper editor started a crusade against it. He asserted:

Have we not more saloons than the peace of the city and the safety of the people require, and is there not a gambling hell in our very midst which our authorities should look after at some of their leisure moments? If something is not done speedily we propose to publish something soon that will not reflect much credit on certain parties in this city.³³

Chetopa had reached a population of about 4,000 when the town boom collapsed. Jay Gould had made the division terminus of the M. K. and T. road at Chetopa but his interests went into receivership and the division shops were moved to Parsons. This was a hard blow to Chetopa and coupled with the fact that the town was heavily in debt gave Chetopa a sharp set-back. Town lots began to sell as cheap as \$1.50 each.³⁴

In 1874 the population had fallen to about 2,000 persons but Chetopa was still a good trading center. The town had five churches, two large steam flouring mills, one large steam planing mill, a furniture factory, saw mill, a foundry, two large dry goods stores, several large grocery stores, five drug stores, two hardware houses, two livery stables, and one large hotel. Eighteen of these business houses were constructed of brick.³⁵

32. Southern Kansas Advance (Chetopa, Kansas), May 14, 1873.

33. Ibid., March 19, 1873.

34. Ibid., May 12, 1887; September 13, 1889; Andreas A. T., History of the State of Kansas, 1,473-1,474.

35. Southern Kansas Advance (Chetopa, Kansas), October 15, 1874.

In 1874 it was again proven that Indians and liquor didn't mix. A group of Indian Police rode from the Territory to Chetopa and proceeded to become intoxicated. They fired into houses, smashed the windows of the freight depot, and made the freight agent walk around and around the freight platform. A squad of citizens rallied, rescued the agent and fired at the Indians, frightening them away except one that was wounded and another who was seized and arrested.³⁶

In 1875 Bear Skin, an Indian, began "shooting up the town" after he had consumed a lot of "40 rod gut" whiskey. The Indian was seized and put in the calaboose. The newspaper editor reported that it was a penitentiary offense to sell whiskey to an Indian. The editor stated:

An Indian full of whiskey is virtually a madman and hardly responsible for his conduct, yet the hellish work goes on, and nothing is being done in the way of an effort to bring the whiskey vendor to justice. We have (yet to see) the first instance of our town being disturbed by a sober Indian.³⁷

In 1877 liquor was still being sold to the Indians. The newspaper editor stated:

A slight joke was perpetrated on an Indian recently. He came to town and as the expression is got "dead drunk" and took a recumbent position on the sidewalk to sleep off the effects of the 40 rod he had partaken of. There happened to be a tombstone in the immediate vicinity, and some of the boys laid him out with the tombstone at his head and a shingle at his feet. He occupied this position until he showed signs of returning to consciousness and then the acting city marshal took him in and gave him a berth in the cooler.³⁸

36. Oswego Independent (Oswego, Kansas), September 26, 1874.

37. Southern Kansas Advance (Chetopa, Kansas), July 8, 1875.

38. Chetopa Herald (Chetopa, Kansas), June 9, 1877.

In 1879 the business of Chetopa was reviving and it seemed that the town was becoming one of the most important cattle shipping points in Southeast Kansas.³⁹

In 1880 Jack Fraunberg, "Banty" Reed and a colored man were arrested on charges of selling whiskey to the Indians. They had been engaged in selling to the Indians for quite some time but this was the first time that enough evidence had been secured to justify arresting them.⁴⁰

From 1881 to 1889 Chetopa carried on a flourishing cattle business. Many cattle were fed there and many were driven to Chetopa and shipped from there.⁴¹ In 1887 Chetopa was prosperous again. Town lots which sold for as low as \$1.50 each from 1873-1882 were selling for \$100.00 to \$150.00 each.⁴²

39. Chetopa Advance (Chetopa, Kansas), September 11, 1879.

40. Ibid., April 15, 1880.

41. Ibid., February 24, 1881; June 6, 1882; August 10, 1882; August 23, 1883; July 12, 1883; September 20, 1883; March 6, 1884; September 17, 1885; November 5, 1885; November 12, 1885; June 16, 1887; June 30, 1887; July 11, 1888.

42. Chetopa Advance (Chetopa, Kansas), May 12, 1887.

Chapter 16

COFFEYVILLE

Coffeyville was located in Montgomery County, Kansas. Labette County was east of Montgomery County and to the south was the Indian Territory. The town was located in the southeastern part of the county on the west bank of the Verdigris River about two and one-half miles from the Indian Territory.¹

In 1866 G. G. Canada settled about eight miles northeast of the present location of Coffeyville. He was the first white man to bring his family into the county. In 1867 Lewis Scott, a negro, settled near Coffeyville. It was known that the Leavenworth, Lawrence, and Galveston Railroad was to be built to the state line so D. T. and J. W. Parker founded the town of Parker about the middle of 1869. They thought their town was going to be the terminus of the railroad and in six months the town had a population of 300 or 400 people.² Parker expected to receive a large part of the Texas cattle drives. Coffeyville was started in opposition to Parker to secure the railroad terminus. The town site was selected in June 1869³ but the town wasn't really founded until the fall of 1869 by Colonel Coffey and N. B. Blanton.⁴ Colonel Coffey, for whom the town was named, and Blanton fed cattle on the prairies.⁵ The first town was called "Old Town"⁶ and was located:

1. Andreas, A. T., History of the State of Kansas, 1,574.

2. Southern Kansas Advance (Chetopa, Kansas), January 26, 1870.

3. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.

4. Andreas, A. T., History of the State of Kansas, 1,574.

5. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.

6. Andreas, A. T., History of the State of Kansas, 1,574.

....on the Cherokee Strip, (a narrow piece of land between Kansas and the Indian Territory), and no title could be procured to the lands. A brisk lawless, rough-and-tumble town started there.⁷

The first people there lived in tents and hay houses. The first hotel was opened in a hay and brush shed by a Mr. Hunt. When the town was "in its glory," thirty-five saloons and dance houses were in operation. Building was rapid but accommodations remained short. An incident regarding accommodations was reported by Mr. R. Ebytele who was awakened one night while sleeping on a cot in the hotel. A man offered Ebytele \$3.00 if he could take Ebytele's place and sleep on the cot for the rest of the night.⁸ The editor of the Southern Kansas Advance, Chetopa, January 5, 1870 stated:

Colonel Coffey called upon us last week. A new post office has been established at Coffeyville, and a hotel and several other buildings are going up.

The railroad reached Coffeyville in the spring of 1871. In order that there should be no trouble over land titles it was decided to move the town. June 1871 the present site of Coffeyville, known as "New Town" was selected. It was a few rods north of "Old Town" and had been surveyed by the railroad company. At once a bitter rivalry started between the two cities and it continued to exist long after "Old Town" ceased to exist as a business point. In May, June, July and August of 1871 there was a rush of people to Coffeyville. A hotel, the Eldridge House, a three story building containing sixty rooms was built in the latter part of that year. In "Old Town" money and whiskey still flowed freely. "Old Town's" best times were in the fall of 1871 and the winter

7. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.

8. Ibid.

of 1872. The population was about 600 but the two towns were incorporated and "Old Town" began to move to "New Town".⁹

The growth of Coffeyville in 1871 and 1872 was phenomenal. The population rose to 1,500 persons. The cattle trade flourished in 1871, 1872 and 1873. This caused the town to grow but also brought in a bad element. The main street was known as "Red Hot Street."¹⁰ The town ran wild and murder was a common occurrence. In 1872 the City Marshal was wounded by a woman of ill-repute in a hotel room. A man outside the room hearing the shot, opened the door, rushed into the room and fired at the woman, killing her instantly.¹¹ There was a great deal of gambling. Mayor A. B. Clark ordered the leading offenders arrested and after the arrests it turned out that the majority of his city council were among those arrested.¹² The editor of the Coffeyville Journal stated:

Red Hot street was graced with thirty or forty grog-shops, dance houses, gambling dens and other evidences of a vigorous life; three or four trains a day ran to carry the cattle off to market. That was in the headlong time when people lived in the present and paid their debts in the future. Of course that method of doing business could not last long. When men are paying forty and fifty per cent interest, discounting notes at five per cent a month, and carrying elections by a vote which two or three times exceeds the total population, things must soon come to a stop.¹³

The Oswego Register, Oswego, Kansas, July 31, 1874 asserted:

She (Coffeyville) is shipping a large number of cattle daily, and also has a very large Indian trade.

9. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.

10. Ibid., January 7, 1882; July 8, 1876.

11. Baxter Springs Sentinel (Baxter Springs, Kansas), June 22, 1872.

12. Andreas, A. T., History of the State of Kansas, 1,574.

13. Coffeyville Journal (Coffeyville, Kansas), January 7, 1882.

In 1874 the "Gold Room" was one of the main saloons. Some of the dance halls were closed and some of the gamblers left town but there was still plenty of vice and crime and the Justice court had a great deal of business. Shooting scrapes were of frequent occurrence.¹⁴

Two negroes engaged in a gun battle with another man. The two negroes disappeared and some persons searched for them. It was supposed that the negroes had been murdered.¹⁵

A negro porter employed at the Eldridge House circulated reports that were damaging to a white girl employed in the dining room. This angered her and she fired several shots at him. The negro was very scared and tried to escape but she succeeded in wounding him. The ball entered his right cheek just above the jaw bone and lodged under the tongue.¹⁶

A shooting occurred in "Darkey Row," a place on the dividing line between "Old Town" and "New Town". Perry Anthony got in an argument with Mrs. Cal. Brooks, his landlady, over a bottle of cologne. Mrs. Brooks' husband swore out a warrant for Anthony. When Marshal Verrum went to make the arrest, Anthony wouldn't open the door. The Marshal shot through the door, broke into the room and shot over Anthony's head. Anthony levelled a revolver at the Marshal and the Marshal shot quickly again. That shot dropped Anthony forever.¹⁷

The newspaper stated:

Jim Burns, better known as "Wichita Jim," who has been around for some time, and who was the principal actor in the lively

14. Coffeyville Courier (Coffeyville, Kansas), August 28, 1874.

15. Ibid.

16. Ibid., August 28, 1874.

17. Ibid., September 4, 1874.

shooting scrape last August, got on a "big sandy" Monday night at a brothel in the east part of town, and during a short session of miscellaneous shooting with a revolver, shot a courtesan named "Frank" in the thigh, inflicting a painful though not serious wound. Burns immediately "lit out."¹⁸

Sometimes games of chance led to bad results. The newspaper asserted:

The Treasurer and officers of the Wilson County Horse Fair Association got into a game of "poker" with some of the "boys" the other night and lost all the funds. The Society is now bankrupt, and the races did not come off.¹⁹

Saturdays were the great trading days of the town:

Saturday is considered by merchants, the "big day" of the week. If a farmer wants anything from town, he invariably puts off the trip until Saturday, if the case be not too urgent. Others come to see the crowd and spend the day with their neighbors, for all feel that it is a duty as well as a custom to "go to town" on Saturday. As a general thing, when the weather is not too severe the plaza by noon is crowded with a motley group, while every alley and back yard is jammed with wagons and teams. We believe no other town in the State, the size of Coffeyville, presents a more lively and busy appearance. Business has all drifted to the plaza and on every side, and within this stockade of business houses, an immense crowd sways to and fro, and contains people of most every nationality, the reckless, fun loving Texan, the inevitable western rover, the keen-eyed Yankee, the more solid, frugal western farmer, the unpretending German, the stately, dignified and sometimes hopelessly intoxicated Indian, and last but not less numerous, the ebony representative of Africa's sunny clime. There we find the confirmed American loafer, whose principle occupation is chewing tobacco at some one else's expense, and expectorating the juice into the eye of some luckless country dog...²⁰

An amusing but somewhat dangerous shooting affair occurred in 1875. The editor of the Coffeyville Courier, J. J. Chatham, and a Texas cowboy, Wilson, were the participants.²¹ The editor asserted:

18. Coffeyville Courier (Coffeyville, Kansas), October 31, 1874.

19. Ibid.

20. Ibid., March 4, 1875.

21. Oswego Independent (Oswego, Kansas), April 10, 1875.

Monday afternoon while we were in Martin's barber shop, undergoing a slight facial renovation, a little reckless shooting by an intoxicated drover took place which came near making it necessary for the people of this hamlet to call a meeting for the purpose of appointing an editor to fill our place. We had been in the big arm-chair but a short time—hardly long enough to get comfortably somnolent—and the presiding genius had got his oracular machinery all under headway (a barber will talk and there is no use trying to interrupt him) when in stepped a huge specimen of the genus homo in a very maudlin condition. In fact he was too drunk to talk and barely made out to drag his anatomy in a chair. No attention was paid to him, and the natural supposition was that he longed to get into the embrace of Morpheus; but old Morpheus somehow or other didn't embrace him, and the first thing we knew a revolver belched forth within three feet of the chair in which we were sitting, and that knight of the razor was in eager pursuit of the back door—an opening that also had attractions for us. A second shot quickly followed the first, and on looking around we saw the Texan very busily engaged in perforating the floor with a very ugly looking Colts 'Bull Dog' revolver. He had got the revolver cocked for a third shot when Martin suggested that he find a target somewhere in the street. The fellow agreed with him that a change of targets would perhaps add to his success as a marksman, and immediately aimed the horrid, grinning affair so as to range near the base of our north ear. This increased our interest in the occasion and we hastily brushed the snowy lather from our frontispiece, laid the big striped apron on the floor (without folding it) and slid out of that chair quicker than a ward politician can change politics. At the same time we saw Martin's stately form disappear through the back door, leaving the matter entirely with us and the individual with the revolver. We pranced around until we got between him and the front door and looking around saw that he still had the muzzle end of what looked to us then to be a mountain howitzer, pointed so as to be on a line with our body. We glanced down the dark recesses of each chamber of that revolver and could see a thousand horrible deaths lurking in every rifle and crevice. Ten thousand little messengers of death mounted on miniature white horses seemed to fill the space between us and that battery. We suggest an armistice. The breathing arsenal said not a word, but raised his artillery so as to range with our eye. The frown upon his visage grew deeper while fire danced in his stupid-looking red eyes in a manner not at all agreeable to us. We thought of the front door but remembering that it was head (hard) to open—rusty latch—perhaps—concluded not to turn our back upon a scene like the one before us. It didn't look healthy. His big rough fingers quivering from the effects of bad whiskey, moved convulsively about the trigger. Our limited stock of bravery was fast becoming exhausted—melted away, as it were like spring snow. We moved to the lee side of the stove-pipe and then passed on. He watched our movements, however, and

kept us "covered" with that horrid looking piece of ordnance. Finally we screwed up our little store of courage and hastened past him into the back room where he followed us and insisted on keeping that pistol in full view. At last we got hold of the knob on the back door and in less than one-sixteenth of a second got into the open air. By this time people were rushing to the scene from every direction, while an equal number were trying to get away and all were yelling Police! Murder! Fire! etc. Presently the marshal arrived and with a number of men entered the shop. The fellow finding the room left to his charge had put the revolver in his pants pocket, muzzle upward, and cocked, and got into the barber chair to take a snooze. The marshal took charge of him and his arms and it was but a short time until he found ample opportunities for playing checkers with his nose, and meditating upon his past life. The next morning he appeared before the Police Judge and was fined five dollars and costs for attempting to kill the editor of the Courier and not doing it. The Judge, after discharging him from custody, gave him a severe lecture on holding the revolver in his hand with finger on the trigger and allowing us to make the entire circuit around the room before he could make up his mind to blaze away.²²

One day a farmer"glanced up at the sign on the 'Gold Room' (saloon), entered and asked Col Harvey if he exchanged gold coin for greenbacks! The Col. told the old chap that, that was his business, but he was just out of coin."²³

J. A. Coffey, one of the founders of Coffeyville, returned in 1875. He had been engaged in business in the Indian Territory for a few years and decided to move with his family back to his 400 acre farm in Kansas on the Verdigris River. He erected a mill for grinding corn and expected to build a flour mill.²⁴

1874 and 1875 were lean years in the cattle trade for Coffeyville. The railroad company had paid the cattle tax to the Indians until

22. Coffeyville Courier (Coffeyville, Kansas), March 25, 1875.

23. Ibid.

24. Coffeyville Journal (Coffeyville, Kansas), December 4, 1875.

that time but refused to pay it after 1873. This caused a town collapse as the cattle drive lessened. Building ceased and many of the people left, the population being about 700 persons in 1876.²⁵

However it looked as though business might get better in 1876 and vast herds of cattle would be shipped from the stock yards south of town.²⁶ One day a number of cattle were to be shipped. For some reason or other one steer wouldn't go into the car. The stock yard men worked all day but couldn't get him into the car. This resulted in the cattle being held until the next morning. By that time the steer had changed his mind, walked into the car and off the train went.²⁷

The town was expecting a revival of the cattle trade. The newspaper editor asserted:

Now, as settlement extends west and the "dead line" becomes fixed, the trail goes farther west, and in a short time the shipping points along the south line of Kansas will present equal advantages to the cattle dealers.²⁸

The town wasn't disappointed as there were quite a number of cattle shipped from Coffeyville in 1876.²⁹

There were some shooting incidents in 1876 to liven up the town. Cal. Coker and Bullet, an Indian of the Cherokee Nation, were standing, facing each other, and talking in Fred Zimmerman's saloon one morning. Someone fired a shot and it struck Coker in the back. It was a dangerous

25. Coffeyville Journal (Coffeyville, Kansas), July 8, 1876.

26. Ibid., January 1, 1876.

27. Ibid., June 3, 1876.

28. Ibid., July 22, 1876.

29. Ibid., August 5, 1876; August 26, 1876; Chetopa Herald (Chetopa, Kansas), August 5, 1876.

wound. It wasn't known for sure who fired the shot but an Indian, who had been sitting by the saloon door, was suspected. A search was made for him but he wasn't to be found.³⁰

As Coffeyville like most western towns was built of frame houses, there was a danger from fire. In 1877 a petition to the city council was circulated for the purpose of having public cisterns built. The cisterns would be useful for drinking water and to fight fires.³¹

Large as the shipments of cattle from Coffeyville were in 1877 and 1878, the shipments of 1879 were much greater.³²

It was in 1879 that the notorious outlaw Jim Barker was shot and brought to Coffeyville, where he died. Before he died it was necessary to amputate a leg, a finger, and a thumb. Barker was buried in Coffeyville.³³

In 1880 the population of the town was 1,200 and the town had an annual trade of more than a quarter million dollars even though there had been a general depression.³⁴ A large number of cattle were shipped in 1881 and 1882.³⁵ The trade of Coffeyville in 1883 still amounted to more than a quarter million dollars annually and was steadily increasing.³⁶

30. Coffeyville Journal (Coffeyville, Kansas), September 9, 1876.

31. Ibid., July 21, 1877.

32. Ibid., August 4, 1877; August 25, 1877; June 15, 1878; September 27, 1879; January 3, 1880.

33. Ibid., October 4, 1879.

34. Ibid., January 3, 1880.

35. Ibid., July 23, 1881; July 8, 1882; January 1, 1883.

36. Ibid., January 1, 1883.

Cattle shipments were still continuing in 1886.³⁷ It seemed as though the editor of the Coffeyville Journal had prophesied correctly in 1876 when he had predicted a revival of the southern Kansas shipping points as settlements and quarantine lines were extended further west.³⁸

37. Coffeyville Journal (Coffeyville, Kansas), July 3, 1886.

38. Ibid., July 22, 1876.

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